

Final Report of the Enquete Commission on “So-called Sects and Psychogroups”

**New Religious and Ideological
Communities and Psychogroups
in the Federal Republic of Germany**

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Final Report of the Enquete Commission
on “So-called Sects and Psychogroups”
New Religious and Ideological Communities and
Psychogroups in the Federal Republic of Germany
Transl. into English by: Wolfgang Fehlberg and Monica Ulloa-Fehlberg

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Foreword

Since the late 1960s, our society has experienced profound changes. Formerly clear-cut standards in terms of life-styles, values and the meaning of life have become less and less binding. New life-styles and new sources of meaning are evolving and competing with each other. At the same time, the individual is expected to be highly efficient, as well as highly flexible, mobile and willing to take decisions. This leads to a great deal of uncertainty.

Both as a response and as a reaction to this development, a plethora of new religious and ideological communities and psychogroups has emerged in the past 20 years. Some of them offer alternative life worlds in which individuals hope to find caring, a sense of community and orientation, as well as “refuge” from the demands of society, or opportunities for religious devotion, or meaning in their lives. Other groups, however, promise “ideal adaptation” to the challenges of the modern age by suggesting to individuals that they will be able to increase and strengthen their efficiency to an unrealistic extent. Many people in the Federal Republic of Germany have observed this development with great concern.

This situation led to the establishment of the Enquete Commission on “So-called Sects and Psychogroups”. In order to find out what conflicts can be ascribed to the new religious and ideological communities and psychogroups, and in order to decide whether governmental action is required, and if so, in what areas, the Enquete Commission analysed the phenomenon extensively and in its many facets within a period of only two years. During this analysis, the Commission found that there were substantial gaps in research available in German-language countries. By awarding contracts for research projects and expert reports that could be completed within the short period of time available, the Enquete Commission helped considerably to improve the research findings available.

In its final report, the Commission presents the findings obtained during its work, which was limited to identifying problems and conflicts that arise in connection with new religious and ideological communities and psychogroups. It was not part of the Commission’s brief to scrutinise specific groups, let alone their religious beliefs. Freedom of religion, freedom of conscience, and freedom of belief are cardinal and inalienable human rights to which the Commission is firmly and wholeheartedly committed. In its work, the Commission has always been guided by the principles of governmental neutrality and tolerance as laid down in Article 4 of the German Constitution.



The Enquete Commission was confronted not only with fears of citizens with regard to the perils associated with “so-called sects” but also with the concern of many communities that they might be labelled as “harmful sects” and treated as such.

The Commission also dealt intensively with this side of the problem, and it is very much against stigmatising such groups “lock, stock, and barrel” and against using the term “sect” because of its negative connotations. The rejection of the term “sect” is also supported by Enquete Commission’s finding that only a small number of the groups which have often been summed up with the term “sect” in the past is problematic. It would therefore be irresponsible to continue to use the term “sect” for all new religious and ideological communities.

A research project for which the Commission had awarded a contract showed that people who feel attracted to new religious or ideological communities are not “passive victims”. Instead, they have a number of needs, desires or problems in life which they hope will be fulfilled, satisfied and solved in such communities. Whether individuals join a community and stay there or drop out, depends on the quality of the “fit” between their expectations and the answers and the milieu provided by the communities.

For a realistic discussion of this societal phenomenon – i.e. a discussion in which the issue is neither exaggerated nor played down – it is indispensable to have reliable empirical findings and well-founded scientific studies of the various aspects involved in this issue. In this context, it is necessary to remedy considerable shortcomings in research.

Religious pluralism is a characteristic feature of our society. The communities of the major world religions exist side by side with a host of smaller groups representing a wide variety of religious beliefs. This fact alone should not be a bone of contention that leads to governmental intervention. Instead, government must respect each individual’s choice of a given religious belief. However, whenever laws are violated, whenever basic rights are infringed upon, or worse, whenever crimes are committed under the guise of religion, government cannot remain passive.

The Commission feels that, below this threshold of imperative governmental interventions, government is called upon to provide support and assistance. While government must not impose any rules that dictate how individuals should live their lives, it can support its citizens in an increasingly complex and rapidly changing world by providing information and education.

The scope of governmental action in dealing with new religious and ideological communities and psychogroups ranges from education and information on the one hand, to specific legislative measures, on the other. This spectrum is reflected by the Enquete Commission’s recommendations for action. They include both possible and necessary governmental interventions. The Commission’s recommendations for legislative action draw attention to gaps in the current legis-

lation and suggest ways of filling these gaps. The establishment of a foundation which is expected to bundle the various aspects involved when dealing with new religious and ideological communities and psychogroups is one forward-looking proposal. For any further work on this subject, it will be indispensable to open a dialogue across national borders. International co-operation will be necessary because the phenomenon will not remain limited to the Federal Republic of Germany; in fact, it is a symptom of modern Western societies.

Helping individuals to find orientation and to cope with life is a challenge which government cannot master on its own. Instead, a government must both respect and insist on the personal responsibility of its citizens. To make this happen, politicians and all groups in society must interact closely. It is necessary to impart knowledge, to teach tolerance and solidarity, and to strengthen the individual's critical faculties as well as his or her ability to cope with conflicts. This will not only protect the individual from being drawn to problematic groups, but it will also give legitimate new religious and ideological communities the room for manoeuvre in our society that they deserve.

I would like to thank all those who have constructively supported our efforts in a variety of ways and who have thus contributed to the successful completion of our work.

A handwritten signature in black ink, reading 'Ortrun Schätzle'. The script is cursive and fluid, with the first name 'Ortrun' and last name 'Schätzle' clearly distinguishable.

Ortrun Schätzle, MP

Chairperson of the Enquete Commission on
"So-called Sects and Psychogroups"

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Annex

The Research Project on “Drop-outs, Converts, and Believers: Contrasting Biographical Analyses of Why Individuals Join, Have a Career and Stay in, or Leave, Religious/Ideological Contexts or Groups”	371
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1 Mandate and Implementation of the Work of the Enquete Commission on “So-called Sects and Psychogroups”

1.1 Description of the problem as well as the Commission’s establishment and mandate

With the votes of the CDU/CSU, F.D.P. and SPD, the German *Bundestag* adopted a recommendation for a decision on 9 May 1996 – submitted by the Committee for Scrutiny of Elections, Immunity, and Rules of Procedure in response to a motion tabled by the SPD’s parliamentary group (*Bundestag* Doc. 13/3867) – establishing the Enquete Commission on “So-called Sects and Psychogroups” (*Bundestag* Doc. 13/4477).

With this decision, the German *Bundestag* followed a recommendation made by the Petitions Committee on 25 October 1995 to establish an enquete commission in order to clarify a host of legal questions brought to the attention of the Petitions Committee by concerned citizens.

These questions and concerns were not new; along with personally affected individuals, information and counselling centres had been increasingly preoccupied with these issues since the 1960s. In every-day usage, the term “sect” has long since stopped referring exclusively to religious movements; instead, it also covers ideological, philosophical, psychological, educational, and political communities. A group’s history of ideas is no longer the only factor that determines the use of the term “sect” but also – and primarily – the presence of a certain potential for conflict. The groupings which are referred to under the generic term “sects” are accused of, among other things, isolating and psychologically manipulating individuals by means of totalitarian internal structures and the use of problematic methods of taking influence, as well as fraud, exploitation and the infliction of severe mental damage on members and their families; however, they are also accused of devising antidemocratic societal systems.

Because of the widespread use of the term “sect” in every-day language, the German *Bundestag* decided to give the enquete commission the working title “So-called Sects and Psychogroups”. This title is evidence of the fact that the German *Bundestag* rejects any sweeping statements flatly condemning all communities believed to belong to the spectrum of groups that might spark conflicts.

In its work, the Enquete Commission did not start off by focusing on specific groups; instead, the Commission began by examining and analysing the potential conflicts ascribed to the phenomenon of new religious and ideological communities and psychogroups. This was the mandate assigned to the Enquete Commission by the German *Bundestag* in its decision to establish the Commission. Hence, the Enquete Commission has not endeavoured to appraise reli-

gions or ideologies; nor has it drawn up a list of all the groups which are active in the Federal Republic of Germany because such a list would involve a considerable risk that the groups mentioned therein might be stigmatised.

The Commission's remit was to analyse conflict and problem areas in the field of new religious and ideological communities and psychogroups and to find solutions without scrutinising religious beliefs. On the one hand, this brief was fully in keeping with the freedom of religion and the freedom of religious belief guaranteed by the German Constitution, as well as the associated religious and ideological neutrality of government; with its remit, the Enquete Commission also fulfilled a duty incumbent upon the State, which is to protect individuals against any encroachment upon their rights, and to protect society as a whole.

Under the German *Bundestag*'s decision to establish the Commission, the latter had the mandate to deal with four priority areas in its work:

“1. To analyse the objectives, activities and practices of so-called sects and psychogroups that are active in the Federal Republic of Germany

This analysis is expected to

- identify dangers emanating from these organisations for the individual, the State, and society;*
- appraise open and concealed societal objectives pursued by these organisations;*
- identify national and international interconnections of these organisations, and*
- identify the limits to recourse to the constitutionally guaranteed freedom of religion for more recently established religious and ideological movements, so-called sects and psychogroups.*

2. To find out why individuals join so-called sects or psychogroups and why such organisations are growing in membership

To this end, the Enquete Commission is requested to

- study typical case histories, i.e. how individuals become members and what happens after they join such organisations;*
- identify the social and political conditions which lead to an increased willingness to join so-called sects and psychogroups;*
- identify enlistment and recruitment strategies pursued by these organisations, and*
- develop proposals designed to prevent citizens, as well as companies, associations, pressure groups and other institutions from inadvertently being drawn into such organisations or being abused by such organisations.*

3. To identify problems encountered by individuals during membership and when trying to leave

Membership in sects can lead to problems not only for the members themselves but also for their families and friends, and it can create problems in companies, associations, pressure groups, and other institutions. Socialisation problems and legal disputes due to family conflicts are of particular importance in this context. Even if the extent to which individuals are affected varies, it is often not possible to cope with the problems or their solutions without outside support. For this reason, the Commission was requested to study not only the problems associated with sect membership and the consequences for all the parties affected but also the question as to what offers for help are or should be available. When examining the help that can and must be given to individuals who want to leave an organisation, the Commission should take into consideration reports by former members about their experience regarding the pressure exerted by some organisations, as well as the psychological state of members, and their prospects and opportunities “after” leaving the organisation.

4. To draw up recommendations for action bearing in mind the debate carried on in society to date

The Commission is expected to submit fundamental recommendations for how to deal with the phenomenon of the so-called sects and psychogroups in future, involving the institutions in society affected by this phenomenon; it should be possible to implement these recommendations within a short period of time. In its work, the Commission should also answer the question as to whether the way this phenomenon has been dealt with in society in the past, and whether the fact that all these organisations are generally referred to as sects or youth sects, is in keeping with the actual development and the need for an appropriate debate in society.”

This Final Report, which follows up on the Enquete Commission’s Interim Report (*Bundestag* Doc. 13/8170), is the result of a busy and packed work schedule. Because of the short time available, the Commission was not able to investigate all the ramifications of the subject. In its analysis, the Enquete Commission therefore deliberately focused its attention on priority issues in keeping with the mandate assigned by the German *Bundestag* in its decision to set up the Enquete Commission:

A key challenge for the Enquete Commission was to appraise membership in new religious and ideological communities and psychogroups from the perspective of the individual in order to find out what conflicts actually emanate from new religious and ideological communities and psychogroups. To this end, the Commission looked intensively into the question of an individual’s background and the connection between the individual’s life history and his or her joining,

leaving, or staying in new religious and ideological communities and psychogroups. The Commission examined the question as to whether dependencies of the individual are created within the group, and if so, in what ways, and what effects membership has.

Another priority of the Enquete Commission's work was to identify the causes in society which lead to the development and spread of new religious and ideological communities and psychogroups because the phenomenon can only be assessed adequately if it is seen from the perspective of society as a whole. On the one hand, the causes of the growth of new religious and ideological communities and psychogroups as a characteristic of the modern world are not limited to Germany alone; and on the other hand, many of the groups operate internationally. For this reason, the Enquete Commission chose the international dimension of the phenomenon as another priority issue in its work. For this purpose, the Commission not only invited scientists from other countries to participate in an exchange of ideas, but it also had numerous talks to exchange experience with foreign politicians and explained the German position vis-à-vis the Scientology Organisation during a trip to the United States of America.

Furthermore, the Enquete Commission examined the activities and assessed the importance of new religious and ideological communities and psychogroups in business enterprises. Particular attention was paid by the Commission to the problem area of "children in new religious and ideological communities and psychogroups" because the State has a particular duty to protect these weakest members of society; and there is by all means a dichotomy between this duty and the constitutionally guaranteed right of parents to educate their children. Arriving at a balanced assessment of the phenomenon in this context was a particularly difficult challenge for the Enquete Commission.

In its recommendations for action developed on the basis of its analysis of the phenomenon of new religious and ideological communities and psychogroups, the Enquete Commission takes into account current discussions on legislation in Germany, draws attention to the need for closing loopholes in current legislation, presents proposals for improving the efficiency of counselling and information services, and makes suggestions for improvements in the sector of research, education and continuing education, which has so far been grossly neglected in the Federal Republic of Germany.

However, the recommendations for action developed and deemed necessary by the Enquete Commission do not release the various societal groups from their own obligation to deal with the phenomenon of the new religious and ideological communities and psychogroups in a responsible manner. The Enquete Commission itself considered that it was one of its important tasks to try and have a dialogue with groups in an effort to ease the tensions in society. Many communities gladly accepted the proffered dialogue and used this opportunity to submit statements. The Enquete Commission is hoping that the dialogue between the groups, government and society will continue after the completion of its

work. However, this will require a certain measure of “even-handedness”, not only on the part of the media, academia, and each individual, but also by the groups and communities themselves. A dialogue can only be successful if both sides make an effort.

1.2 The Enquete Commission’s Methodological Approach

Composition of the Enquete Commission

The Enquete Commission was composed of twelve members of the parliamentary groups represented in the German *Bundestag*, as well as twelve experts. The PDS group was represented by one non-voting member in an advisory capacity; in addition, the PDS appointed one non-voting expert. A secretariat provided organisational and scientific support to the Commission in its work.

Deliberations

In the period between its constituent meeting on 9 May 1996 and the adoption of its final report at the meeting on 28 May 1998, the Commission held a total of 49 meetings.

For reasons of confidentiality, most of the hearings of external experts were not open to the public:

Non-public hearings and talks with experts

- Talk with experts from Germany’s Offices for the Protection of the Constitution, 14 November 1996
- Hearing of counselling and information centres as well as initiatives of parents and affected individuals, 2 December 1996
- Hearings of various groups, 13 January 1997 and 17 February 1997
- First part of a series of three hearings on the “Situation of Children and Adolescents in so-called Sects and Psychogroups”, 20 February 1997
- Hearing on “So-called Sects and Psychogroups and Business Enterprises”, 12 May 1997
- Hearing on “So-called Sects and Psychogroups: A Challenge for Society?”, 2 June 1997
- Hearing on “International Interconnections”, 5 June 1997
- Hearings on “Drop-outs from so-called Sects and Psychogroups”, 25 September 1997, 2 October 1997, 9 October 1997, 5 February 1998
- Talk with experts on the topic of “Pyramid Selling”, 13 November 1997

- Talk on the topic of “International Aspects in the Field of so-called Sects and Psychogroups” with an expert from the European Parliament, 11 December 1997
- Talk with experts on the topic of “Ritual Abuse”, 16 January 1998
- Talk with an expert from the German Federal Ministry of Labour and Social Affairs on labour law and social security issues, 12 February 1998
- Talk with medical experts on the topic of “Disease Risks due to the Improper Use of Hypnosis, Trance, and Conditioning in Lay Therapy and Group Dynamics Events”, 14 May 1998

The Enquete Commission invited the following groups to attend non-public hearings: *Alter Mystischer Orden Rosae Crucis (Rosenkreuzer)*, *Bruno Gröning-Freundeskreis*, *Gemeinde auf dem Weg*, *Gesellschaft für Transzendente Meditation (TM)*, International Society for Krishna Consciousness (ISKCON), Church of Jesus Christ of Latter Day Saints (Mormons), Landmark Education, *Neue Akropolis*, Osho, Scientology, Soka Gakkai, *Universelles Leben e. V. (UL)*, *Verein zur Förderung der psychologischen Menschenkenntnis (VPM)*, *Vereinigungskirche* (Unification Church) Jehovah’s Witnesses.

Representatives of the *Europäische Arbeiterpartei* (European Labour Party; today: *Bürgerrechtsbewegung Solidarität – Solidarity Civil Rights Movement*) were invited but did not accept this invitation. While the representatives of the Scientology Organisation and of VPM appeared at the hearing, they refused to give any information.

The Commission heard drop-outs from the following groups or course participants: Ananda Marga, *Europäische Arbeiterpartei* (European Labour Party; today: *Bürgerrechtsbewegung Solidarität – Solidarity Civil Rights Movement*), *Gemeinde auf dem Weg*, *Gesellschaft für Transzendente Meditation*, Kaizen, Landmark Education, Sant Thakar Singh, Scientology, Soka Gakkai, *Universelles Leben e. V.*, *Verein zur Förderung der Psychologischen Menschenkenntnis*, *Vereinigungskirche* (Unification Church), Jehovah’s Witnesses.

Public hearings

- Hearing on the topic of the “Constitutional Background in Dealing with New Religious and Ideological Movements (German Constitution, Art. 4)”, 12 December 1996
- Second part of the series of hearings on the “Situation of Children and Adolescents in so-called Sects and Psychogroups”; hearing of educational and psychological experts, 13 March 1997
- Third part of the series of hearings on the “Situation of Children and Adolescents in so-called Sects and Psychogroups”; hearing of legal experts, 20 March 1997
- Conference on the topic of “Psychotechniques”, 14 April 1997

- International forum on the topic of:

“So-called Sects and Psychogroups and Their International Interconnections”, under the Patronage of the Speaker of the German *Bundestag*, Professor Dr Rita Süßmuth, MP, 22 September 1997

Trips

- Trip of some Commission members to meet representatives of *Universelles Leben* (Universal Life) and Jehovah’s Witnesses, 19 and 20 August 1997
- Trip of a Commission delegation to the United States of America, 23 to 27 February 1998

Research projects/Studies

- In order to determine the spread of new religious and ideological communities and psychogroups in the German population, the Enquete Commission awarded a contract to INFRATEST Burke GmbH, Berlin, to conduct a survey based on a representative sample. For the results, see the Commission’s Interim Report (*Bundestag* Doc. 13/8170, p. 33 ff.).
- In order to analyse the background and connections with the life history of individuals, i.e. careers in new religious and ideological movements, the Enquete Commission awarded a contract for a research project entitled “*Drop-outs, Converts, and Believers: Contrasting Biographical Analyses of Why Individuals Join, Have a Career and Stay in, or Leave, Religious/Ideological Contexts or Groups*”.

The implementation of this project was entrusted to:

Professor Dr Heinz Streib, University of Bielefeld,

Professor Dr Werner Fuchs-Heinritz, Open Polytechnic University of Hagen,

Dr Albrecht Schöll, Comenius-Institut Münster,

Wilfried Veesser, theologian, pastor of the Protestant Church in Württemberg.

(For the results, see Chapter 3.6. as well as the Annex).

- In order to identify the motives and the patterns of perception of psycho-market clients, and to shed some light on the providers and consumers as regards the psycho-market, psychotechniques and the esoteric scene, the Enquete Commission joined an ongoing project headed by Professor Dr Straube and Professor Dr Mischo. In this context, the Commission awarded a contract to Gerhard Hellemeister (psychologist, University of Jena) who, in co-operation with Wolfgang Fach (psychologist, *Institut für Grenzgebiete der Psychologie*, Freiburg), carried out a research project on the topic of “*Providers and Consumers in the Psycho-market: An Empirical Analysis*” (see Chapter 3.5 for the findings).

- In order to obtain reliable findings with regard to the question as to whether there is a specific form of religious dependence, and if so, what processes lead to such dependence, and how it can be defined, the Enquete Commission awarded a contract for a research project on the topic of “What Are the Characteristics that Can Be Used to Identify Religious Dependence?”.

This contract was awarded to Professor Dr Burkhard Gladigow, *Kulturwissenschaftliches Institut im Wissenschaftszentrum Nordrhein-Westfalen* (see Chapter 5.1.4 for the findings).

- In order to study socially desirable and undesirable effects associated with new religious movements, the Enquete Commission awarded a contract for a study on the topic of “*Social and Psychological Effects of Membership in New Religious Movements, with Special Consideration Given to the Social Integration and Mental Health*”.

Dr Sebastian Murken, psychologist, University of Trier, was entrusted with the execution of this project (see Chapter 3.7 for the findings).

- In order to make cause-effect relations of conflictual events fully comprehensible in the social environment of individuals primarily affected by new religious and ideological communities and psychogroups, the Enquete Commission awarded a contract for an expert report on the topic of “*Need for Counselling, and Triggering Conflicts in the Case Histories in a So-called Sect Counselling Centre, Based on Case Categories and Process Patterns*”.

The execution of the project was entrusted to the *Beratungsdienst für Sekten- und Weltanschauungsfragen beim Bischöflichen Generalvikariat Aachen* (see Chapter 4.2 for the findings).

- In order to identify the skills which the staff of counselling centres for new religious and ideological communities and psychogroups need in order to meet counselling needs, the Enquete Commission awarded a contract for an expert report on the topic of “*Skills Required for Counselling Staff Working in the Conflict Area of So-called Sects and Psychogroups: Criteria and Strategies*”.

This study was entrusted to Beate Roderigo, psychologist, *Informations- und Dokumentationszentrum Sekten/Psychokulte* of the *Arbeitsgemeinschaft Kinder- und Jugendschutz, Landesstelle Nordrhein-Westfalen e. V.* (see Chapter 4.2 for the findings).

2. Phenomenological, Terminological and Conceptual Clarification of the Subject under Review

2.1 Introduction

Since the term “sect” is used in a variety of ways in science and in colloquial language, primarily in internal religious disputes, and since the term “psychogroup” is new, the Commission had to clarify whether these two terms sufficiently and adequately described the subject under review by the Enquete Commission; the word “so-called” used by the German *Bundestag* in its decision to set up the Commission already indicates that the use of these terms is of a tentative nature only. In the first part of what follows, the Commission digresses from the topic under review to discuss the terms “sect” and “psychogroup” by means of some selected examples; and in the second part, the Enquete Commission then defines its own field of work on this basis.

In the course of its work, the Commission found out first of all that different terms cover different (partial) aspects of the overall phenomenon. This point is discussed in greater detail below. Secondly, the Commission found out that not all the attributes ascribed to groupings that are referred to under the heading of “so-called sects and psychogroups” actually apply across the entire spectrum. Many conflicts which will be described in this Report are conflicts with a relatively small percentage of groups from the overall spectrum; some of these conflicts are also of a temporary nature because they are typical of a certain stage of a group’s development.

2.2 The term “sect”

According to the German *Bundestag*’s decision to set up the Enquete Commission, the latter has the duty to answer the question as to whether the way this phenomenon has been dealt with in society in the past, and whether the fact that certain organisations are generally referred to as “sects” or “youth sects”, is in keeping with reality and the need for an appropriate debate in society. For this reason, it was necessary for the Commission to deal with the terms “sect” and “youth sect”. In some sources in literature, the meaning of the term “sect” is also considered to be a given fact.¹⁾ In addition, there are other terms, some of which emphasise other conceptual aspects: Fr. W. Haack has introduced the term “youth religion”.²⁾ Furthermore, the terms “cult” and “destructive cult”, which originated in the United States, have been adopted in the German lan-

¹⁾ Cf. Schmidtchen, G.: *Sekten und Psychokultur*, Freiburg/Basel 1987, p. 22.

²⁾ Cf. Haack, Fr. W.: *Jugendreligionen. Zwischen Scheinwelt und Kommerz*, Munich 1994 (first edition 1974); *ibid.*: *Jugendsekte – Vorbeugen-Hilfe-Auswege*, Basle 1991.

guage. There are also other terms such as “new religion”, “new religious movements”, as well as the more neutral term “communities of special religious groups”. Psychotherapeutically oriented enterprises, which are assumed to manipulate individuals psychologically, are also referred to as “psychocults” or “psychogroups”. Groups with political objectives have also been termed “politico-religious youth sects”. Information published by governmental agencies often use the terms “new religious and ideological movements” or put “so-called” before the words “sects” and “psychogroups”, or put these words into quotation marks.

Hence – although it may appear to be self-evident – the term “sect” itself is ambiguous and thus problematic.³⁾

2.2.1 Historical meanings of the term “sect”

Etymologically, the word “sect” is derived from the Latin word “sequi” (follow), which is the translation of the Greek word “hairesis” (following). In antiquity, the word “sect” was initially used to describe those who followed the school of opinion of a given philosopher. In the history of Christianity, the word “sect” was used to refer to groups who followed a certain religious leader outside the Church or who followed dogmas or practices which had been declared a deviation from doctrine. During the Middle Ages and during the early Modern Age (see, for instance, the Ad Deus constitution of Emperor Frederick II of 1220), individuals who were “unruly followers” of a “sect” were outlawed and sentenced to death (see, for instance, Art. 30 of the Bamberg Rules of Court Proceedings for Capital Crimes of 1507). Sect membership was made a criminal offence in the Middle Ages because any form of deviating belief was considered to be a tort which was not acceptable for society and for the State. Thus, religious deviation became a criminal offence, as the Protestant theologian P. Tillich wrote: “Anyone who violates canonised dogma, (is) not only a heretic who goes against the fundamental doctrines of the Church but also commits a crime against the State”⁴⁾. In addition, the word “sects” of course also had a neutral meaning, as illustrated by Roger Bacon (in the 13th century) and Nikolaus von Kues (in the 15th century), who spoke about the “secta Christiana”. The negative meaning of the term “sect” seems to have clearly culminated during the 16th century, especially when it was used to describe those Christian communities which established themselves – next to the recognised religious parties – with-

³⁾ Cf.: Hemminger, H. J.: Was ist eine Sekte?, Mainz-Stuttgart 1995; Keltsch, J.: Neue religiöse Bewegungen und das Recht, in: Einheit und Vielfalt der Rechtsordnung. Commemorative publication to celebrate the 30th anniversary of the Munich Law Society, Munich 1996; Gasper, H.: Ein problematisches Etikett, in: Herder Korrespondenz, Vol. 50, No. 11, Nov. 1996, p. 576ff.; and Zinser, H.: Der Markt der Religionen, Munich 1997, Chapter VIII; for a legal definition, see Abel R.B.: NJW 1996, p. 91.

⁴⁾ Cf. Tillich, P.: Vorlesungen über die Geschichte des christlichen Denkens, Part I, Supplements and unpublished works, Vol. 1, Stuttgart 1971, p. 20f.

out being legally legitimated by the Empire.⁵⁾ Such views and institutions were abandoned when freedom of religion was declared in the countries of Europe. In Germany's Constitution, reference is made only to three types of religious groups: *religiöse Vereine* (religious associations – German Constitution, Art. 140 in connection with Art. 138 of the Imperial Constitution of the Weimar Republic); *Religionsgesellschaften* (religious societies – German Constitution, Art. 140); and *Religionsgemeinschaften* (religious communities – German Constitution, Art. 7); there is no substantive difference between religious communities and religious societies; an established state church does not exist (German Constitution, Art. 140 in connection with Art. 137, Imperial Constitution of the Weimar Republic). In terms of constitutional law, there is no difference therefore between Churches and other forms of religious organisation. Consequently, the term “Church” is no longer “protected”, so that any organisation can call itself a “Church” and use this term in a misleading manner.

2.2.2 The term “sect” as used in scientific history

The historical meaning of the term “sect” is closely connected with its theological interpretation. This interpretation of the term “sect” is based on certain criteria, e.g. the recognition of books of revelation other than the canonised Bible and other forms of revelation, a different creed, a different understanding of apostolic succession, and – in Protestantism today – also membership in the World Council of Churches, etc. Because of the neutrality of the State in religious and ideological matters, the theological concept of “sects” is irrelevant for the Enquete Commission.

In a certain historical situation, Max Weber and Ernst Troeltsch used various characteristics to develop “ideal-typical” definitions of the terms “Church” and “sect” for their studies of the history of Christianity and the associated development of “modern capitalism”: while individuals are born as members of a Church, sects have to be joined; while a Church has a universal claim, sects only have a partial one; while the charisma of office-holders in a Church is usually inherent in their office, office-holders in a sect must have personal charisma, etc.⁶⁾ These definitions were developed on the basis of analyses of a given historical situation; hence, they are irrelevant for the problems dealt with by the Commission.

2.2.3 The term “sect” as used in colloquial language

The colloquial use of the term “sect”, i.e. its use in the public debate, is highly multifarious, and its scope is widening more and more. In public usage, the term “sect” also denotes to religious content. In addition, the term “sect” is also used in colloquial language for groupings which are referred to as “new religious

⁵⁾ Cf. Feil, E.: *Religio. Die Geschichte eines neuzeitlichen Grundbegriffs vom Frühchristentum bis zur Reformation*, Göttingen 1986, p. 274f.

⁶⁾ Cf. Kehrer, G.: *Einführung in die Religionssoziologie*, Darmstadt 1988.

and ideological movements” in literature. At the same time, the public associates with this term groupings which lead to societal conflicts of varying intensity, even if these groupings tend to pursue political or psychotherapeutical objectives rather than being religious or ideological in nature. Hence, there is no consistent distinction between “sects” and “psychogroups” in colloquial language.

Generally speaking, one could say that the public uses the term “sect” for groups which are assumed to deviate from the convictions and lifestyles that are still commonly shared. The convictions involved are primarily ethical views about human interactions. Terms such as human dignity, human rights, freedom, tolerance, self-development and self-realisation are points of reference for socially acceptable actions and behaviour. In colloquial language, the term “sect” is therefore increasingly used to refer to groups which are accused of systematically defying these points of orientation in theory and practice, of producing dependence instead of scope for development, of degrading individuals and of teaching intolerance, etc.⁷⁾

The colloquial use of the term leads to several difficulties. First of all, it is not possible to delineate this use linguistically from other meanings of the term “sect” so that if the term “sect” is used in the media for a given group (which is a correct term when used in its own theological context), there is a risk that this may create the impression that the group involved may be a source of conflicts. Secondly, labelling a group with the term “sect” as used in colloquial language may suggest that the group is a source of conflict, that it makes its members dependent, or that it is dangerous in another way, although the members of the group or other individuals affected may have a different perception. Hence, the colloquial use of the term “sect” is not very precise in terms of its substance.

For these reasons, the Enquete Commission feels that this use of the term is highly questionable and will not use it in this Report unless qualified by quotation marks or the word “so-called”.

2.2.4. Understanding of the phenomenon in social sciences

In sociological and social science literature, a “sect” is defined – with regard to the questions addressed here – by the degree to which a group is in conflict with, in contrast, and in contradiction to its environment.⁸⁾ This understanding of the term as used by social scientists, which overlaps with the term’s colloquial use by the general public, is the only relevant definition for this Report.

⁷⁾ Cf. Hemminger, H. J.: Was ist eine Sekte?, Mainz-Stuttgart 1995.

⁸⁾ Cf. Niebuhr, R.: The social sources of denominationalism, New York 1929; Wach, J.: Religionssoziologie, Tübingen, 1951; Wilson, B. R.: Religiöse Sekten, München 1970; Johnson, B.: Church and Sect Revisited, in: Journal for the Scientific Study of Religion, Vol. 10, 1971; Stark, R. und Bainbridge, W. S.: The Future of Religion, Berkeley 1985.

Based on the understanding of the term in the social sciences, a “sect” could be defined as a small, exclusive religious or ideological, scientific or political group which demands total commitment from its followers and which places special emphasis on the group’s separation from, and rejection of, its environment.⁹⁾

Hence, a characteristic feature of a so-called “sect” is a special, extreme form of internal and external relations. The deliberate separation from its environment is a feature which generally applies to all the various aspects of the entire culture of the group or community.

However, the emphasis in defining the term “sect” varies, depending on which phenomena of this culture or what level of group interaction is studied from the outside in terms of this trait. If the focus is on the group’s rejection of the conditions under which it lives in society – in particular the prevailing value system and the public legal system applied in theory and practice – the definition of the term “sect” will resemble the secular concept of a sect that prevails in the public debate. However, if the focus is on the rejection of the group’s religious or theological environment (often primarily its own intellectual roots) at the level of faith and ideology, the definition of the term “sect” will resemble the one used in religious or theological studies. In this case, the tension between a community and its environment will be primarily determined by the history of its religion and ideas.

At any rate, the concept involved is always a so-called “relational concept”, which describes the conflictual relationship between a minority and the surrounding society. Hence, the question as to whether a minority within a culture is referred to as a sect always also depends on the observer’s own cultural vantage point and on value decisions.

In this context, it should be pointed out that tensions also arise from differences in the emphasis placed when defining the term “sect”. There are some groups, for instance, which are classified as sects from a religious perspective, but which – from the point of view of the social sciences – are not perceived as sects (or at least not in the narrower sense), because of their relatively successful adjustment to the everyday life of the established society around them.

2.2.5 Summary

Due to the different origins of the term “sect” and its different interpretations, its use is very problematic, except in cases where the context has been clearly defined (e.g. in theology or in religious studies). It is hardly suitable for distinguishing between “conflict-prone” and “non-conflict-prone” groups. Furthermore, it is not useful at all for characterising specific conflicts. Since it is not suitable for governmental use, it is not a suitable term for this Report either.

⁹⁾ Cf. Abercrombie, N./Hill, St./Turner, B. S.: Dictionary of Sociology, London, 3rd edition, 1994 (Penguin Reference Books), p. 371.

2.3 The term “psychogroup”

In the past few decades, the term “psychogroup” has been widely used to describe the “wide variety of psychological and pseudo-psychological advice available outside professional psychology and outside the public health sector in the fields of life counselling, life orientation, and personality development”¹⁰). This spectrum includes activities which are as diverse as psychological success courses for business managers, esoteric courses offering advice for coping with money problems, astral journeys, contact through a medium with extraterrestrial intelligent life, and the return to earlier lives. A large number of methods are offered to achieve these and other objectives: Therapies borrowing from traditional psychotherapy schools; emotional and physical therapies (e.g. primary therapy, rebirthing); spiritual offerings with purported therapeutic effects (e.g. reiki, reincarnation therapy); the use of technical equipment in the esoteric scene (e.g. mind machines, bio-resonance); natural healing methods with a spiritual background (e.g. aroma therapy, Bach blossom therapy); magical and occult practices (e.g. telepathy, psychokinesis, pendulum, Tarot); natural religions, mystical and spiritual traditions; esoteric ministry or life-counselling.

What these methods have in common is that they are not only practised in groups but that they are also used commercially to help individuals cope with their lives or change their personalities. In addition, they are used as a leisure pursuit, for entertainment and to satisfy the need for sensory and aesthetic experiences. This is a services sector which is also referred to as “psychomarket”. In a more neutral form, one could also label this sector as alternative, non-orthodox educational, psychological and psycho-therapeutical methods which are practised side by side with those of recognised schools; this is similar to medicine where non-orthodox alternative medical approaches and orthodox medical treatments exist side by side.

Usually, such services are used in the framework of a business relationship with customers. Since this relationship is not the type of relationship that exists in a community or a group, it does not make sense to speak about membership in these cases. However, such relationships may evolve into a “psychogroup” if a group of regular customers forms around a “life-counsellor”, and if this group makes regular use of the services of this counsellor or his enterprise. Even then, there are considerable differences as compared to the type of relationship in a community because the customer relationship is retained. It is only justified to refer to a group as a “psychogroup” or – more harshly – as a “psychocult” if a certain permanent level of organisation is achieved by a service provider and his clients, and if internal and external relations establish themselves which are typical of groups.

¹⁰) Hemminger, H. J./Keden, J.: Seele aus zweiter Hand, Psychotechniken und Psychokonzerne, Stuttgart, 1997, p. 7.

2.4 Types of conflict with “sects” and “psychogroups”

As described above, the approach adopted in the social sciences towards understanding this phenomenon is to look at the conflicts arising with various groups. This is discussed in greater detail below.

The special, extreme form of internal and external relations in such groups – i.e. the tension between the tendency to withdraw into a “total” inside world (“total groups”) and the outside world – has been characterised by terms such as “isolation” and “insulation” (withdrawing to an island). This describes the tendency of these individuals to isolate themselves more or less completely from their environment and to limit themselves to living in a world of their own. Such people then tend to transfer the entire reality of their lives – including beliefs, cultural and social norms, and possibly economic and political aspects – exclusively to the inside world of a given group; or they exclusively derive and define this reality in terms of the knowledge of life (and its sources) applied and practised by the group. This gives rise to most conflicts.

Hence, one particular aspect of the conflict-proneness of a group in its internal and external relations has to do with the group’s world view and its life-style, i.e. “dissenting world views” and “non-conformist life-styles”. In other words, theirs are convictions which deviate substantially from the socio-culturally widely accepted or at least tolerated world views and values, and life-styles which differ significantly from generally practised or at least tolerated life-styles. While this description is abstract and general, an analysis of the groups in question often shows in concrete terms where potential conflicts may arise. If an individual drops out of a professional or vocational training programme, or if an individual abandons his or her professional career in order to be able to work in the group, this may prolong an adult group member’s financial dependence on his or her parents or partner beyond what is usual, or it may re-establish this dependence if an individual abandons his or her professional career. If the parents, the spouse or the friends of an individual who has just joined a group are not willing to adopt a positive attitude towards the group and towards the commitment of its new member, this may lead to family disputes or to separations with all the resulting conflicts.

For outsiders, it may also seem disconcerting that the group assigns partners to its members. Other fields in which conflicts with outsiders may arise include the group’s attitude towards sexuality; its concept of marriage and family life; questions relating to bringing up children; attitudes towards business and politics; beliefs about the individual’s personal freedom, etc. Even if these questions often involve areas which are covered by the basic right of free development of an individual’s personality, one cannot ignore the effects which sudden changes in an individual’s views and behaviour can have on his or her environment. For this reason, such groups are perceived as contentious by their environment because they trigger such changes.

The characteristics describing the internal and external relations of a group – such as “total commitment” towards the inside and “separation from the environment” – can be subdivided into various degrees, so that while a given type of sectarianism can be determined in accordance with the definition mentioned above, it is not possible to draw a clear line between a sectarian and a non-sectarian religious or ideological community.¹¹⁾

To sum up, the conflict-proneness of the groups considered to be sectarian as defined above is usually due to a combination between the aspects mentioned above – i.e. exclusivity, total commitment, separation from the environment and its rejection (“isolation” and “insulation”) – with “dissenting world views” and “non-conformist life-styles”. These aspects can lead – albeit not necessarily – to problematic constellations and reactions, and hence, to considerable conflicts. The hazards involved in extreme isolation and insulation are illustrated particularly clearly by examples which have attracted much attention in public. These include the murders and mass suicides of groups such as People’s Temple (Guyana), Heaven’s Gate (California), Sonnentempler (Switzerland, France, Canada), Aum-Shinri-kyô (Japan).

2.5 The term “sect” and religious conflicts

In cautioning against the indiscriminate use of the term “sect”, it must be pointed out that a certain degree of conflict with society is part of religious orientation and religious sociation. This is due to the fact that religious (and often also ideological) communities naturally claim the right to live in a certain way and to defend their own truth vis-à-vis competing views of human nature and the world. Something similar applies to modern ideologies with their own view of the world, which – based on scientific or pseudo-scientific evidence – claim the right to provide their own binding interpretation with regard to the totality of human existence. As the history of religious and ideological movements demonstrates, this can sometimes lead to profound societal conflicts.

Furthermore, it should be borne in mind that religions consider it to be one of their responsibilities to take a critical stance vis-à-vis the society and the state they live in; under certain circumstances, this may lead to tensions with, and sometimes even stark opposition to, government and society. Since religions also tell individuals what they must not do, they thus imply in one way or another a distance or a critical stance vis-à-vis the status quo.

In addition, it is not only the dissident communities that act when conflicts arise but also competing and already established religious communities, as well as

¹¹⁾ Distinguishing between “cult movement”, “clients cult”, and “audience cult”, which has become common practice nowadays, is a typology which permits such a subdivision into different degrees. This typology can be applied to sects if one adopts the distinction between “sect” and “cult” as proposed by Stark/Bainbridge (which, however, does not seem to be imperative).

other political and cultural institutions of society. For all these reasons, it must be pointed out that any conflict with “conflict-prone religions” can also lead to questioning our society, and not only to critical questions about the group concerned. Such conflicts have been and can always be a factor bringing about societal change.

It should not be ignored that progressing modernisation and growing cultural uncertainties create considerable stress, in particular for individuals clinging to traditional religious life-styles; so that increasing isolation or even rejection of modernisation may also represent an attempt to cope with these modernisation stresses. Often there is a more or less pronounced dichotomy between the guidance provided for one’s own life and for raising children in the framework of special ideological/religious communities and the principles of modern living required to cope with the socio-cultural challenges prevailing in Western societies. Hence, as a result of destabilisation and “de-traditionalisation”, individuals may also look for shelter and safety in a new “religious/ontological home” instead of living up to modern expectations and challenges by assuming personal responsibility and being open, mobile and reflexive. Such attempts to cope must certainly not be oversimplified by interpreting them exclusively as “deficient life-styles” relative to the principles of modern life, and the individuals pursuing such attempts must not be disqualified as “dangerous sects”.

2.6 The term “sect” as used by governmental bodies

Nevertheless, it would be possible to construct – from the variety of different concepts – a narrower definition of the term “sect” for the purposes of political and legal theory and practice. In this case, the term “sect” would be used to refer to such religious groupings and life-counselling organisations whose theories and practices are not compatible with the principles of the German Constitution and its concept of human beings, its legal system, its value concepts, etc. and which proclaim, and strive for, a social order other than the German Constitution. Or based on the description of the phenomenon as used in social sciences, it would be possible to use the term “sect” to refer to groupings where the level of isolation, the tension between “inside” and “outside”, etc. lead to a high degree of almost permanent conflict-proneness.

An introduction into constitutional law of the term “sect”, which is already burdened by various uses of the term in the past, would involve the risk of restricting the critical potential which is required for the continuous renewal of society; the emergence of new religiousness can also be seen as a response to shortcomings in society, as an indicator of misguided developments in society as a whole and the associated problems.

An introduction into constitutional law of the term “sect” would above all entail the risk or the tendency of abolishing or restricting the freedom of religion by using the term “sect”. In our modern age, religion is not influenced by the State.

Nevertheless, exercising freedom of religion is subject to a legal framework which is set by limits that are inherent in the Constitution. Aside from freedom of religion, there are other interests which are protected by the Constitution; and in the event of a conflict, the interests concerned must be weighed to decide which of the interests takes precedence in a given concrete case.

In the interest of a neutral description and analysis, it is therefore more appropriate when describing the subject under review to use the terms “new religious and ideological communities” and “psychogroups”. However, such general terms also give rise to problems. It is not possible to find short, concise terms to characterise the entire diverse spectrum of the groups concerned. This spectrum also includes groups, for instance, which only pretend to be religious or ideological communities. In this broad range of groups and movements which are referred to as “sects” from various perspectives, there are only a few which are so conflict-prone – and permanently so – that they correspond to the extreme picture which prevails with regard to new religious and ideological communities and psychogroups.

In addition, it is advisable for the sake of clarity to use more specific terms when examining specific fields of conflict. In accordance with Anglo-Saxon usage, allegedly religious communities with predominantly economic objectives can be characterised as commercial cults, while ideological communities can be referred to as “political groups”, etc. The commonly used term in scientific literature is “new religious and ideological movements” (NRMs). The Enquete Commission has chosen the terms “new religious and ideological communities and psychogroups” as an appropriate and neutral description of the phenomenon. In this way, the Commission has also responded to the need for differentiation.

2.7 Summary

It is not possible to use the ambiguous term “sect” to determine the field of legislative and general governmental action. Hence, another way must be found to define and limit action in this field. This also applies to the term “psychogroup”. Need for governmental action can only be identified on the basis of the real relations that exist between a group and its social environment. It goes without saying that need for action arises only through the social interactions caused by the group members’ rejection of their social environment, their total commitment, etc.; usually, it is only when these characteristics take on a very pronounced or extreme form that there will be such need for action. The fact that there is a gradual transition from a group’s strong emphasis on conflict-triggering characteristics to its successful integration and adaptation should not be used as an argument to deny government any scope for action even in the event of severe conflicts; nor should it be used as an argument to curb the freedom granted by our Constitution to religious and ideological groups. Instead, the governmental scope for action includes first of all measures available in the

event of violations of effective laws and threats to interests protected by law. Secondly, there are sectors of social life which, according to our Constitution, should remain free of any governmental regulation. This includes in particular personal choices in terms of internal and external conditions of life, and in terms of the context in which an individual decides to live.

The conflicts which are caused by social actions in connection with new religious and ideological communities and psychogroups – and in some cases also by the actions of individuals – can be subdivided into three categories:

- a. violations of laws;
- b. abuse of power by individuals who take advantage of legal vacuums which jeopardises interests protected by law; such abuse calls for regulatory action by government;
- c. violations contra bonos mores derived from the system of fundamental values, and infringements of social obligations.

In this area, governmental action is both necessary and feasible. In fact, conflicts in this field fall within the mandate of the Enquete Commission.

Hence, the Commission's field of study includes not only the groups themselves but also clearly defined social actions and conflict-triggering actions by individuals – or more precisely, individual members of groups – most of which claim to have, or are ascribed, a religious or ideological status¹²⁾. In this context, attention must also be paid to a principle laid down in the Council of Europe's Convention of 4 November 1950, according to which "freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interest of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others."

This means not only that there must be no provisions which restrict the freedom of religion for specific religious communities, but it also means that religious communities and their members must of course abide by certain rules that apply to everyone. Hence, the wording of the German Constitution, which does not provide for any general requirement to have a law on freedom of religion, seems less specific. However, there is agreement about the fact that the freedom to manifest one's religion comes up against its limits whenever it violates the constitutional rights of others. At any rate, it is not possible to circumvent or override the legal system by invoking freedom of religion.

¹²⁾ The question of whether a group rightly claims to be a religious community is answered by constitutional law. The definition of "religion" or "ideology" as used in constitutional law is usually narrower than the definition used in social sciences (cf. BAG NJW 1996, 143).

3 Macrosocial and microsocial dimensions of the phenomenon

3.1 Societal causes of, and conditions for, the emergence and growth of new religious and ideological communities and psychogroups

3.1.1 Preliminary remarks

The Enquete Commission's work has clearly shown that the phenomenon of "so-called sects and psychogroups" is a highly complex issue. Attributing problems simply to those who allegedly caused them – i.e. the "sects" – gives rise to more questions than answers. This does not mean that one should deny that certain groups or individuals may take advantage of the existing room for manoeuvre above and beyond what is acceptable if one finds that the problems associated with new religious and ideological communities and psychogroups are to a large extent due to social causes and settings. Only if these causes and settings are understood is it possible to adopt an adequate approach aimed at finding problem-solutions.

The public has been paying a great deal of attention to new religious and ideological communities and psychogroups: a large number of articles have been published in daily and weekly newspapers; and TV and radio programmes, as well as books have dealt with this phenomenon. In the public debate, the quantitative scale of the groups concerned has sometimes been overestimated. In its Interim Report, the Enquete Commission found – largely in agreement with earlier surveys¹³⁾ – that new religious and ideological communities and psychogroups are not so widespread that this alone could explain the echo which this subject has found in the public. About 0.5 percent of the respondents said that they were members or followers of a new religious or ideological movement. Another 0.7 percent stated that they were somewhat close to such a movement.¹⁴⁾ Despite this limited magnitude, new religious and ideological communities and psychogroups are perceived as a major threat by the public. However, the quantity and the quality of a problem are not identical.

Some of the most important social causes of, and conditions for, the emergence and the growth of new religious and ideological groups and life counselling programmes as well as their perception in society are outlined below.

¹³⁾ Cf. Schmidtchen, G.: *Sekten und Psychokultur*, Freiburg, 1987; or Stoffers, M. and Puhe, H.: *Neue religiöse Organisationen und Kultpraktiken*, project report, Cologne, 1993.

¹⁴⁾ Cf. German *Bundestag*: Interim Report of the Enquete Commission on "So-called Sects and Psychogroups", *Bundestag Doc. 13/8170*, p. 35 f.

3.1.2 From the traditional community to the elective community

Modern industrial and service societies are characterised by the fact that they loosen and sometimes break up traditionally grown structures to replace them by more flexible ones. The efficiency and the capacity for development of modern societies is based on this very potential in terms of flexibility, willingness to change, and adaptability. In various fields – e.g. in associations, trade unions, political parties, or in married and family life – this development is also perceived as a loss; this is true in particular in the field of religions. It is generally assumed that religion unfolds automatically and largely in a parish, i.e. anchored in the direct environment shared by all its members.

This has been largely the case in the history of Europe, but also in other cultures. According to relevant theories, religion was seen, among other things, as an institution which comprehensively provided transcendental and immanent meaning for the development of the individual's identity, life-style concepts, the "cosmisation" of reality, coping with contingencies, reference towards transcendence, for the entirety of government, society, and culture, as well as for the community (both political and religious) and the life world, etc. This world, which is of course never completely homogeneous, has been in a process of profound change, dissolution, and restructuring ever since the 17th/18th century – a process which was accelerated once more during the years after World War II, and which is often referred to as secularisation. However, what this process represents is pluralisation of religious contents and forms, as well as alternatives and options, which creates religious diversity and a religious market. In addition, there is a distinction between religious and non-religious life counselling movements or programmes designed to help the individual find meaning in life. In itself, this is not yet any different from religiousness in parishes, or from the practice of religion in congregations; instead, a market-like situation is developing, with a large number of suppliers. In addition to the traditional religions, there are new ones which are very different, not only in terms of their origin and tradition, but also with regard to their forms of organisation.

However, the fact that other organisational forms of religion – such as supplier or service religions – are possible and widespread became clear when Peter L. Berger published his book *"Der Zwang zur Häresie"* (The Need for Heresy); because religion or the religions as providers of meaning and life-style concepts (which they have always been) are obliged to move within this societal context and look for their links within this context. However, in addition to communities practising religion in parishes where all the people living in a given town or district are members, there have always been special alternative communities such as secret cults, mystery cults, orders, etc.

As far as organisational forms are concerned, there are two extreme forms of new religiousness, "in addition to the Churches", i.e. our traditional religions.

On the one hand, there are religious offerings which are evolving into the direction of religiousness in the form of communities or parishes. Whenever such religious communities tend to develop into very closed forms (possibly connected with “isolation” and “insulation”, as mentioned above), there is a great likelihood that conflicts will arise.¹⁵⁾ This is the case especially if these groups have recourse to pre-modern patterns, i.e. if they try to use what could be referred to as the “interpretative value added” of religion (in other words, the functions and services mentioned above) in order to undo the separations and segmentations in today’s society and culture by re-establishing traditional unitary concepts, by tying the entire reality of life directly to religion, and by considerably curbing personal freedom rights.

In addition, there are market-oriented forms of organisations which convey religion and meaning in a more precise sense, e.g. in the form of numerous offerings for therapy and advice on how to cope with life. These forms do not organise themselves as congregations or parishes; instead, their structure is flexible, less binding. In such cases, the purpose of the “interpretative value added” of religious organisations and organisations designed to help the individual find meaning in life can be to conceal the professional limits or shortcomings of their life-counselling and therapeutic programmes behind a veil of religion/ideology (there are parallels to be found in the ideological components of psychoanalysis).

Such movements either take a critical stance towards the alleged lack of tradition in the modern age and propagate a more traditionally oriented way of living and believing. Or they are very specifically geared towards helping individuals to adapt to, and make them “fit” for, the achievement-oriented society. This can be done by having recourse to one’s own religious traditions or by importing other religious/cultural patterns. Quite often, there are also mixed forms composed of, for instance, European-Christian, Asian and/or (psycho-)therapeutic components.¹⁶⁾

There is not only a breakdown of traditions in large parts of society, but also a multiplication of options that exist side by side and that compete with one another for followers. However, the fundamental principle is not the replacement of one tradition by another, but it is the coexistence of various traditions whose popularity varies like ups and downs in the economy. In this context, one must of course bear in mind that the importance of traditions has undergone profound change: what used to be more or less binding and compulsory standards for the individual has become a matter of choice and option. What is perceived as a loss in this development is not the loss of tradition itself, but the loss of social transcendence and reliable expectations, i.e. the disappearance of the binding force of traditions and the standards imposed by them on everyday life and action in society. In sociology, this is referred to as “individualisation”.

¹⁵⁾ Cf. Chapter 3.3.

¹⁶⁾ Cf. Interim Report of the Enquete Commission, loc. cit., p. 96 ff.

However, these very differentiation processes are in turn based on some underlying standards whose validity is growing world-wide, e.g. human rights in an individualised interpretation, the pursuit of happiness as a source of meaning, again in an individualised form (see Chapter 3.1.8), etc. Hence, the individualisation process is unfolding in a globalisation setting; there is considerable pressure toward uniformisation, not only with regard to normative standards, but also concerning the overall economic and social settings of our everyday life world. This standardisation (e.g. in professional career expectations) is progressing both world-wide and within our society; hence, those who fail to adapt to these changing standards or take the wrong decisions in their professional and private lives will suffer very negative sanctions as individuals. On the one hand, therefore, “individualisation” means more choice for the individual; but on the other hand, modern biographies are very much subject to the constraints of increasingly uniform economic systems and professional options, which in turn depend on political constraints. Some of the conflicts with new religious and ideological communities and psychogroups have to do with, among other things, the fact that some of the groups concerned negate or intend to reverse globally recognised orientations in life, and that they encourage their followers more or less blatantly to ignore the mandatory general rules that apply in business and in the world of work. Conversely, another major reason why individuals turn to new religious and ideological communities and psychogroups is that people founder, or fear that they will founder, under the conditions prevailing in this very world of work and life, or that they are at least under the subjective impression that they cannot cope with the pressure to adapt and to do well.

Individualisation processes also become manifest in socio-demographic terms. Reliable data are nowadays available on, for instance, urbanisation, as well as trends with regard to household size, family size, forms and intensity of personal contacts, and forms of housing and participation, to mention but a few. For years, these data have revealed a growing trend: The scope and the binding force of close social relations in families, neighbourhoods and local communities have been declining. Instead, specialised areas of life – first and foremost, the world of work, but also family life, leisure pursuits and friends – have been gaining ground as factors of social integration of the individual. At the same time, the subjectively perceived relative importance of more collectively oriented areas of life is decreasing. Only about 20 percent of the respondents regularly state that politics/political parties and religion/Churches are important areas of life for them, while between 60 and 80 percent mention professional and family life or leisure pursuits. Except for minor variations, this has been the result which the *Allgemeine Bevölkerungsumfrage in den Sozialwissenschaften* (ALL-BUS – General Population Survey in Social Sciences) has regularly revealed since 1980.

The statistical findings indicate that society has been changing in two directions: On the one hand, the statistics suggest society has lost some of its collective formative influence on general patterns of thinking and behaviour; on the

other hand, the data have shown that the individual depends on, and is supported by, smaller units of social orientation areas, such as one's own family, the circle of colleagues at work, or leisure-time acquaintances.

3.1.3 Modern biographies

As shown above, the changes in traditional social relationships have led to a loss – which in some cases is substantial – of social continuity and transcendence. Filling one's biography with one's own particularities in order to prove oneself as a social creature is an achievement which used to be supported by the community and which nowadays is largely up to the individual. Thus, the “post-modern concept of living” opens up a broad spectrum of options for action which are equally legitimate in society, as long as they are covered by a subjectively perceived order or are plausible to the individual, and providing that they are compatible with the general economic conditions prevailing in society.

Against this background, it is much more difficult for an individual to develop and preserve a personal identity. It becomes a life-long project in the course of which the identity has to be continuously re-established and consolidated. Problems with regard to the meaning of life are experienced by the individual much more intensely than would be the case if the individual was part of a closer community. This is described very succinctly by Niklas Luhmann when he says: “The components of an individual's curriculum vitae are made up of turning points at which something happened which was not inevitable, beginning with birth”.

There is no better way of describing the demands made on the individual's constitution and his or her biography in the modern age. Against the background of a broad choice of social options, it is up to the individual to meet the general requirements for successful participation in social life and to give meaning and context to what appears to be a random combination of different elements.¹⁷⁾

So while there are better opportunities in life, there is also a greater risk that – given the wide variety of choices and options available – one might take a decision which proves to have been wrong at a later point in time. This is the source of many of the problems and conflict constellations which have been recently discussed in connection with new religious and ideological communities and psychogroups: the need to choose from a range of offers made to individuals to help them cope with life, coping with life in an alternative religious group (during membership and possibly also after leaving such a group), and the discussion of these choices in society.

3.1.4 Societal secularity and religious indifference

Over 50 percent of the respondents in Germany's old federal states and almost 80 percent in the new federal states describe themselves as being non-

¹⁷⁾ Cf. *Identitätsarbeit heute*, (ed.) Höfer/Keupp, H., Frankfurt, 1997.

religious.¹⁸⁾ The expression “*neue Unübersichtlichkeit*” (Jürgen Habermas; roughly: the “new complexity”) also applies to the Churches. On the one hand, the number of Church members has declined substantially since the 1950s; on the other hand, an average of 17 percent of the respondents still go to church (with considerable variation both above and below this average) and a much higher percentage of individuals are still members of a Church. In the Churches themselves, the phenomenon of a shift from tradition to option has also become manifest, and has even reached their core congregations.

This illustrates that religious aspects of life and performing religious acts jointly in a congregation have become less important for the German population. However, this is not tantamount to a complete loss of religiousness or full secularisation of life as a whole. As far as values are concerned, for instance, there is still a strong emphasis on Christian values. The belief in religious patterns in the broadest sense is also quite widespread. In their everyday lives, people read their horoscopes, believe in faith-healers, witches or lucky charms; they believe in reincarnation or occult phenomena. Religious needs and religious patterns of coping with life are still widespread in the population.¹⁹⁾

Nevertheless, there is a large amount of religious indifference with regard to social contexts. In the framework of such social action contexts, religion does not seem to be immediately required to help individuals find meaning and orientation and to cope with life as long as those individuals are sufficiently involved in everyday life and as long as their everyday life is intact. In the family, at work and in professional life, as well as during leisure pursuits with friends and acquaintances, there are many opportunities for an individual to fill his or her everyday life sufficiently. Often, there is no time for religious practice, nor is there any pressing need. On the contrary: In many parts of society, there is even massive social pressure supporting religious indifference. In professional life, for instance, an excessive orientation towards religious norms could easily hamper an individual’s career. According to a survey conducted among managers in German industry, indifference towards religion is a very pronounced attitude in professional life. Or as Franz-Xaver Kaufmann found out: “Religious standards are not generally rejected, but they are not highly valued by most people”.²⁰⁾ Hence, religious references are excluded from many sectors of life in society because they are considered to be irrelevant. Religious activities form a separate, specialised sector in society, in which such activities can unfold.

This constellation is by all means paradoxical because it demonstrates that while individuals are relatively out of practice when it comes to religion, they are unquestionably receptive to religion. Questions about the meaning of life can suddenly come to the fore in an individual’s everyday life when that individual is

¹⁸⁾ Cf. Table 16 in Daiber, K.F.: *Religion unter den Bedingungen der Moderne*, Marburg, 1995, p. 55.

¹⁹⁾ Cf. Eiben, J.: “*Neue Religiosität*” in der Bundesrepublik Deutschland, Cologne, 1996, p. 42f.

²⁰⁾ Cf. “*Religiöser Indifferentismus*”, in: *ibid.*: *Religion und Modernität*, Tübingen, 1989, pp. 146–171, p. 151.

personally affected by radical change or crises; this may be the loss of one's job, sickness, or the severe illness and death of a close relative or friend. In other cases, one's expectations with regard to one's professional career, or one's marriage or partnership are frustrated, which raises the question of the meaning of life. From this perspective, it can therefore be said that it is not the individual who is indifferent towards religion, but it is the social structure in which he or she lives and acts.

From the individual's perspective, this constellation of the integrated secular world appears to be continuously jeopardised and unstable; as a result, indifference can also turn into determined opposition to, or support of, a given religious life-style. From a perspective of cultural sociology, this is corroborated by a supplementary analysis of the current attitude towards religion of the citizens of a secular society, which shows that there is a separate secular history of religion in modern age.²¹⁾ This would mean that fundamental concepts of occidental modern age – such as the idea of scientific progress, the idea of the development of new human beings by means of education and psychology, etc. – can themselves assume the function of a religion (which has already happened to some extent) and compete with the religions for cultural influence. In the case of modern ideologies such as Communism and National Socialism, this influence cannot be denied; however, it is debatable whether the individualised life-styles of today's majority also derive meaning from “secular religious” ideas. In this case, the majority's indifference towards pre-modern-age religious traditions could also be interpreted as a commitment to such secular religious sources of meaning and interpretations of human existence.

Against this background, the emergence of a market-oriented religiousness, which almost invariably also wants to provide life-counselling, would also have to be seen as an attempt at finding a different way of keeping the promises made after all with regard to finding meaning in a secular world, after the plausibility loss of the conventional institutions, i.e. politics and science. At any rate, the development of so-called “psychocults” and “political sects” in the 1960s and 1970s, as well as the emergence of the New Age and esoteric movements in the 1980s, give credence to such an interpretation.

Various recent studies, some of which were also proposed by the Enquete Commission,²²⁾ have shown that, in most cases, the reason why individuals turn to new religious and ideological communities and psychogroups has to do with

²¹⁾ Cf. Küenzlen, G.: *Der Neue Mensch – zur säkularen Religionsgeschichte der Moderne*, Munich, 1994

²²⁾ Cf. Andritzky, W.: *Alternative Gesundheitskultur. Eine Bestandsaufnahme mit Teilnehmerbefragung*, Forschungsberichte zur transkulturellen Medizin und Psychotherapie, Vol. 4, Berlin, Verlag für Wissenschaft und Bildung, 1997; Dipl.-Psych. Dr. Murken, S.: “Soziale und psychische Auswirkungen der Mitgliedschaft in neuen religiösen Bewegungen unter besonderer Berücksichtigung der sozialen Integration und psychischen Gesundheit”, study conducted on behalf of the German *Bundestag*'s Enquete Commission on “So-called Sects and Psychogroups”, January 1998.

personal problems which tend to be secular problems from today's perspective. Such motives include the departure from the parental home, conflicts with one's parents or partner, professional problems, unfulfilled wishes. Usually it is not until later that explicitly religious motives come to the fore, once a certain life-counselling programme available from a group has been put into a broader context of helping the individual to find meaning in life. At this point, the individuals concerned are very willing to get involved in a "completely different life" whose quality, concomitants, and consequences cannot be surmised by them; on the other hand, their ability to handle religious feelings and impressions today probably tends to be poorly developed.

3.1.5 Supply of, and demand for, meaning, life-counselling, personality development

In response to these specific needs for meaning and help in coping with life, a form of organisation has emerged to which various secular societies have not yet sufficiently adjusted because these societies continue to assume that the institutions providing meaning and help to cope with life are embedded in relatively homogeneous forms of religiousness, or that religion and meaning can only be provided in the context of parishes or congregations practising their religion. Such more market-oriented approaches cannot be generally applied to specific religious groups, including specific new religious and ideological communities and psychogroups; instead, they can be associated with most religious doctrines. This is a way of spreading religious ideas and life-counselling assistance in general which can be established more effectively because of the modern structures prevailing in society. In the past few years, for instance, the Churches have been confronted more and more with the demand that they should offer their services in a more demand-oriented manner.

However, in order to deal with market-oriented aspects and offerings,²³⁾ there is not only a lack of consumer awareness among the "buyers" but also a lack of consumer protection criteria such as transparency of offers and options, contents and costs. The realisation that there is a need for consumer protection is growing only slowly. Unfortunately, the awareness of this need is not yet sufficiently developed on the part of the consumers and on the part of relevant social institutions, e.g. in the fields of law and life-counselling. However, the increasingly individualised demand for sources of meaning and help in coping with life makes individuals particularly vulnerable, especially in a society which is or was characterised by a situation of relative religious clarity. Some of the conflicts which have arisen in connection with new religious and ideological communities and psychogroups are due to the fact that people are not sufficiently familiar with a pluralistic offer of religions and that they misunderstand the market-oriented religious offers made.

²³⁾ Cf. Zinser, H.: Der Markt der Religionen, Munich, 1997.

For certain groups of people, the threat to their modern life-styles is much more concrete than for others, which also increases the willingness in certain contexts and of certain people to adopt compensatory, radical religious or ideological orientations in life. Young unemployed people with a lower level of education, for instance, whose prospects of participating in the fruits of working life are currently very dim, have a high aggression potential which can be exploited in a variety of ways by satanic groups (cf. Chapter 3.4). Riesebrodt, for instance, used the example of Protestant fundamentalism in the United States to show that a tendency towards religious fundamentalism in a given population stratum may be associated with protests against a loss of social privileges, in this case a loss of social status and economic security in the lower white middle class.²⁴⁾ It can be assumed that the “classical” sects will benefit from these interdependencies, at least those which can be ascribed to Protestant fundamentalism in terms of their contents and their life-world; it is also likely that there will be similar interconnections in the Catholic tradition. There is a lot of evidence which proves that politically marginalised population groups tend to gain self-esteem and confidence in their actions by way of compensation in the field of religion. This can be demonstrated by the rise of Spiritualist communities and Afro-Brazilian religions in Brazil and the success of the Pentecostal movement among Caribbean immigrants in the United Kingdom, etc. Hence, it can be assumed that there is not only a general social interconnection between individualisation and the “need for heresy” on the one hand, and on the other hand a possible sudden change into rigid interpretation systems with totalitarian claims imposed on the individual. Instead, it can also be assumed that concrete biographical processes – which may also be based on specific problems such as membership of a disadvantaged population group, unemployment, the collapse of current social security systems, etc. – may accelerate an individual’s conversion. This specific parallel connection cannot necessarily be formulated in the framework of the overriding sociological theories underlying this report (risk-taking society, experience-oriented society, communication society); however, a separate theoretical deduction would go beyond the scope of this report. Such conversion processes are sufficiently known, based on historical and practical experience. This is all the more significant since this is exactly the point of focus for political measures aimed at preventing religious and ideological radicalisation.

However, the growth of market-oriented movements which help the individual find meaning in life and which provide life-counselling services is not exclusively due to relevant demand. Instead, it is the processes of social change outlined above that enable sellers or operators to open up distribution channels and find acceptance among “customers” in the first place. For this reason, it is not easy to say how much of the demand for market-oriented movements which help

²⁴⁾ Cf. Riesebrodt, M.: *Fundamentalismus als patriarchalische Protestbewegung*, Tübingen 1990, *ibid.*: *Protestantischer Fundamentalismus in den USA – die religiösen Rechte im Zeitalter der elektronischen Medien*, EZW-Texte, Information No. 102, Stuttgart 1987.

individuals find meaning in life and which provide life-counselling services is caused by the fact that the advocates of certain forms of religion and life-counselling have become more professional, as it were, allowing them to gain their livelihood in this way and to improve their social status in their context; this is a development which is not considered to be very unusual in other countries with different religious traditions (e.g. the United States).

It is almost trivial to point out that the Free Christian Congregations, for instance, which have emerged in the past 20 years – usually initiated by individual missionaries – and which exist side by side with the established Churches and Free Churches, are usually groups with a very distinct profile which follow a specific school of thought and which cover a rather large geographical area; such organisations are only possible because of the high mobility of people in conurbations. Likewise, the opportunities of the esoteric movement for distributing their courses, seminars, etc. depend largely, and increasingly so, on modern communications media and modern modes of transport.

3.1.6 Globalisation and localisation

Today, we are witnessing an accelerated development of our societies towards a global society: in economic terms, in terms of the media, but also in political, legal, and cultural terms. However, the effects of this development towards a global society are contradictory. It is not simply a development which leads to the unification of a variety of different cultures and societies in an overarching form. It is first of all a matter of establishing comparability and having the experience of being compared: comparability of political, economic, and social systems, their cultural foundations, as well as their systems of religious thinking and standards. Essentially, this leads to two opposing trends. On the one hand, given the wide variety of the different approaches currently pursued, the global society creates pressure for a generalisation of its values and regulatory systems. In other words, what this global society has in common in terms of its substance, will tend to be more and more generalised and will be bound to encompass more and more conflicting traditions. On the other hand, there is a trend toward consolidating regional and particular traits. As Roland Robertson said, globalisation and localisation combine to become glocalisation.²⁵⁾

The generalisation of the basic legal system and of basic values goes hand in hand with the isolation of regional sub-societies which take certain particular idiosyncrasies to extremes. Distinctions thus gain greater importance. New religious subcultures emerge. This is a trend which incidentally can also be observed in the Churches. New religious and ideological communities and psychogroups, but also new parishes established either within the Churches or at their fringes represent such religiously motivated localisation phenomena. At the

²⁵⁾ Cf. Globalization, London, 1992.

same time, however – and this is the global dimension – there are relatively small groups which establish themselves as international organisations operating world-wide.

This conflicts with the century-old experience of relative religious dominance in Europe after the Treaty of Westphalia because religious diversity and the development of new, alternative or simply hitherto unknown forms of religious life and action are incompatible with this picture of well-ordered religious structures.

The conflict is due to the fact that the religious market and its possibilities to establish new patterns do not coincide with societal expectations; hence, many people affected initially reject, or are alarmed by, patterns which do not correspond to the “Church”-type image. This also applies to groups and movements within the Churches (e.g. the Protestant Confessional Movement, Opus Dei) or at their fringes. In a certain way, this situation is compounded by the concept of society’s progressing secularisation propagated in social sciences in particular in the 1960s and 1970s; according to this concept, the inclination towards religion was considered to be a phase-out model. Even if sociology today assumes that the secularisation of society continues, it also assumes that there is a shift of religious needs to the individual.

This conflict is further aggravated by another effect of globalisation: the implementation of de-traditionalised “alien” religious convictions and groups in social contexts. Not only are the new pluralistic religious phenomena confronted with different societal expectations; instead, it is also a potentially disturbing, frightening, but certainly irritating presence of something “alien” in the form of religion in one’s own social environment, “next door”, as it were. So, the thrill of the “exotic” and the “alien” which the individual expects to find at a remote holiday destination as part of the local everyday life can turn into something which is perceived as threatening.

3.1.7 Media and public awareness

Society’s image of what is publicly presented or presents itself as religion is biased in a very specific direction. Considering that in Germany, as well as in many other European countries, the concept of religion is primarily characterised by relative homogeneity and by the notion that religion is practised in parishes, whereas there is also a variety of market-oriented groups today, all forms of religion which are not in keeping with the traditional image can initially only be described in public in terms of their conspicuous or deviating features.

It would be wrong to suggest that it is the sensationalist journalism of the media which creates a “sect problem”. One must realise that the media – as the term indicates – are only the messenger, the mediators who respond in a very specific way to the expectations of those who are supposed to receive given messages or news. Nevertheless, in a society which is increasingly characterised

by “media-conveyed hyperrealities”, the media’s potential in terms of generating images and perceptual patterns should not be underestimated. Hence, the media aggravate the problem if they suggest as a generalised message that sects are a “peril”. However, the core of the problem is that there is no open social discourse on religion.

The image which the media present to the public about new religious and ideological communities and psychogroups is often focused on sensational events. This type of presentation will only decline and stop finding a market if it is deprived of its “mystique”, so much so that individuals can also reflect their own impressions and their rationale for turning towards religion. Interestingly enough, a term such as “sect” is always used to describe others. It is always the others who are the “sectarians”, not only for “sect members”. This is the only explanation why almost 80 percent (of a total of over 33,000 callers) were in favour of “banning sects” during a survey conducted by the German TV station 3SAT in December last year. There seems to be no other field of public debate in which there is less information about the subject under discussion than in the field of new religious and ideological communities and psychogroups. Religion as a whole is defined in terms of its extremes. Often there is no useful information which would enable the individual to deal with religious matters adequately, i.e. to have a free and informed choice and discussion. It is doubtful whether the often very popular sensationalist journalism increases the population’s level of information.

For this reason, an open, unbiased and informative analysis of the opportunities and risks associated the search for meaning and religious devotion in modern society does not take place in a way which encompasses all sectors of society.

3.1.8 Experience orientation as a selection criterion

According to Gerhard Schulze,²⁶⁾ the process of modernisation can also be seen as an “expedient-rational transformation of action structures”. Society’s outward or collectively oriented modernisation (i.e. the development of societal institutions) is continuing, but it is supplemented by an inward type of modernisation.

If the individual is ultimately unable to act or to decide because of the mind-boggling variety of offers and options available – a variety which can only be achieved by explicitly relinquishing any far-reaching collective rules – the interest in an option for action (such as buying a specific product) can be stimulated by establishing a direct relationship to the individual. Hence, inner-direction means establishing a connection with potentially desired characteristics of the individual. In this way, consumption becomes a possibility for the individual to do something very special for him- or herself.

²⁶⁾ Cf. *ibid.*: Die Erlebnisgesellschaft. Kultursoziologie der Gegenwart, Frankfurt, 1992.

What is striking in this context is the subjective reference of the action patterns, and hence also a strong subjectification of the stabilisation of identity. Schulze calls this form “*Erlebnissrationalität*” (experience rationality): “The subject treats himself as the object whose condition is to be manipulated”.²⁷⁾ Basic patterns of such experience include: social rank, conformity, belongingness, self-fulfilment, or stimulation, with the individual being able to use the most varied means to achieve this realisation. The common denominator of these means is that while they are generally available in society, they can take on both a positive and a negative form. Self-fulfilment can be experienced by means of professional activity or by explicitly abstaining from such activity; it can be achieved both by means of close social contact, but also by social isolation; by establishing a family or by living the life of a single. An individual can also find self-fulfilment by continuously increasing the intensity of pursuing specific goals, in particular in professional life, but also in the social arena.

This type of uncertain societal anchoring of experience makes this experience vulnerable, both in its collective and in its individual form. Collectively reliable structures do not develop. Instead, there are fads that change very quickly. They change like market trends, and tomorrow they may be quite different from what they are today. From the individual’s perspective, this means that the experience cannot be perpetuated. As a result, there is a permanent search for new or revamped experience opportunities in ever new fields of experience: experience demand and supply combine to form an experience market which provides considerable potential – albeit a very delicate one – for the expression of individual identity.

The fleetingness and arbitrariness of emerging and passing forms are not problematic for the “experience market” itself. However, problems arise with regard to the individual’s reliable self-portrayal because while the experience market is capable of supporting a sufficiently well-functioning everyday life, it cannot provide answers to questions about the meaning of life, about the major transcendences such as disease, death or other major strokes of fate.

The demand for, and great respect in society for, the assumption of personal responsibility and autonomy by individuals, as well as the assumption that the individual is able and willing to perform, is combined with highly stable, specialised institutional sectors and increasingly generalised social and cultural values. In view of the (necessary) weakening of the major collective meaning-imparting and rule-setting systems, represented – particularly in Germany – by the Churches on the one hand and science based on enlightened reason (belief in science and progress) on the other hand, this situation leads to a permanent need for the provision of meaning which is adapted to the very specific problems experienced by individuals in terms of meaning and life. This has been demonstrated very clearly by the relative attractiveness of experience-oriented

²⁷⁾ loc. cit., p. 419–420.

religiousness and psychotherapy in the past few years. This applies not only to developments within the established religious groups but also to the new religious groups.

Experience-orientation also leads to the creation of a market in which individual buyers are supposed to act and opt for products. This also includes the existence of controlled counselling institutions. Counselling has become more and more important in all areas because the individual is less and less capable of acquiring sufficient competence in all walks of life. The fact that professional counselling services are still rather underdeveloped in the religious and ideological sector, which is developing more and more commercial momentum, is problematic because such services tend to be simplistically seen as competing with systems that help individuals find meaning in life and not as an attempt at helping individuals cope with very profane problems in life, without any direct and explicit reference to systems that help individuals find meaning in life.

3.1.9 Modern society: A communication society

In the past few years, the various contemporary sociological diagnoses have been evolving into a theory of the communication society.²⁸⁾ This has led to the contention that there is a need not only for differentiation in society and development of the inner logic of its differentiated sub-systems (e.g. the economic or the political system) but also for mediation of this logic by means of processes that cross system boundaries. This mediation can be achieved by specific systems which can be described as a specific form of communication. Modern society has to build bridges within and among all societal fields; these bridges consist of transboundary communication circles which ensure the necessary transfer of information, e.g. by means of simple discussion forums where various sectors exchange their views, or by means of advisory boards, commissions, but also through associations and public discourse.

Modern society is no longer capable of finding “all-embracing and definitive” solutions to its key problems. One of the major attributes of modernity is the ability to deal with problems in a flexible manner. The efficiency and stability of modern society is due to the development of specific sub-systems. It is not possible to control society by setting and pursuing certain political objectives; nor is it possible to do so by means of confidence in a society’s industry and the prosperity which it can provide. Only mediation between the systems can protect modernity from the paradox which would result from the one-sided dominance of the logic of individual sub-systems. And as far as political action is concerned, this means: regulation and not control,²⁹⁾ as well as stimulation

²⁸⁾ Cf. inter alia the theories developed by Beck, Habermas, Luhmann, Mayntz oder Münch. Cf. inter alia Münch, R.: *Die Dialektik der Kommunikationsgesellschaft*, Frankfurt, 1991; *Die Dynamik der Kommunikationsgesellschaft*, Frankfurt, 1995.

²⁹⁾ Cf. Mayntz, R. and Scharpf, F.W. (ed.): *Gesellschaftliche Selbstregulierung und politische Steuerung*, Frankfurt, 1995, in particular Chapters 1, 2, 4, 7.

and utilisation of the self-regulatory forces in other sectors of society which are confronted with problems, and the development of objectives in a dialogue and in a discussion with all the parties concerned.

How religion or religions will or should cope with the challenges described above is an open question which cannot be answered in this Report. It would also go beyond the scope of this Report to discuss whether and how religion can fulfil its traditional functions without a certain measure of institutional transcendence and continuity.

The fact that there is a risk that modernity might lead to a fall-back to forms of traditionalism is paradoxical. This risk seems to be ubiquitous, especially in the field of religion. However, traditional solutions would not be viable at the overarching level of society as a whole. It is not possible to go back to the conditions prevailing before modernity. Ideological pluralism, diversity of life-styles, the individual as the key element in the determination and preservation of personal identity, performance orientation instead of the feeling of belonging to a community, systemic differentiation of society – all these are characteristic features of modernity.

At the level of individual biographies or contexts, however, it is quite possible for traditional and particular approaches to be adopted as specific solutions, but they must be susceptible to integration in the context of an overall pluralistic society. Such approaches create problems in particular if they lead to actions that are liable to criminal prosecution, or when there is a manifest attempt to impose de-differentiation and de-modernisation at governmental and systematic level as binding policies. In other words: what is no longer feasible in society as a whole, is quite conceivable at the level of mediating systems. Concepts such as that of the “intermediary institutions” or the “revitalisation of small life worlds” are examples of such systems.³⁰⁾

This must also be the basis of any debate about new religious and ideological communities and psychogroups. The variety of alternative life designs and religious ideas is a “normal” part of any modern society, a part which will probably tend to increase in importance. Of course, this does not in any way mean that this phenomenon is only positive. However, it is becoming clear that society and its institutions must reckon with this situation, that they must develop mediation systems which can help not only to preserve a sufficiently harmonious societal structure and to protect the individuality of the individual but also help to sustain a common cultural legitimation basis. So far, such a basis of legitimation is virtually non-existent in the ideological field, which itself is seen as such a legitimation basis.

³⁰⁾ Cf. Berger, P.L./Luckmann, Th., *Modernität, Pluralismus und Sinnkrise*. Die Orientierung des modernen Menschen, Gütersloh, 1996, pp. 59–63, 70f.; Herzog, R.: *Die Unübersichtlichkeit als Phänomen des wissenschaftlichen Zeitalters*, Speech delivered by the German Federal President on 17 January 1996 in Tutzing, in: *Bulletin*, (ed.): Office of the Federal President, 13 Feb. 1996, p. 161. In addition, mention should also be made of the adage according to which constitutional democracies rely on conditions which they cannot create themselves (E.W. Böckenförde), i.e. on traditional, practised value convictions in society and on communities sharing these convictions.

3.2 New religious and ideological communities and psychogroups as perceived in society

In its Interim Report, the Enquete Commission had already decided to approach the subject of new religious and ideological communities and psychogroups by consistently focusing on conflicts which may arise. This is not a new approach introduced by the Commission; instead, it is a perspective which has become manifest in announcements and opinions of public authorities in the past few years. The Commission has kept the cause of its establishment in mind, i.e. petitions addressed to the German *Bundestag* by citizens because of concrete conflicts which the individual citizen could not cope with at all, or not adequately. It became increasingly clear to the Commission in the course of its work that a generalising approach, involving the use of the term “sect” as a generic term to describe all forms of new or binding types of religiousness and/or ideology, cannot do justice to the diversity of phenomena and the different types of conceivable conflicts. And there is another aspect that needs to be considered: If the popular but nebulous term “sect” is used as a generic term, this can lead to stigmatisation. A religious or ideological group which has been publicly labelled as a sect will experience a wide variety of problems because of the great attention paid by the public to the alleged conflict-proneness of “sects”. A wide variety of very different religious groups, including smaller Christian groupings, have expressed concern to that effect vis-à-vis the Commission. In the public sector, it is therefore neither advisable nor acceptable to use a single generic term (“sects”) for controversial phenomena or groups if the public already applies this term – usually without reflection – to all smaller, recently established or simply unfamiliar movements.

3.2.1 Historical review

In the 1960s, the phenomenon of new or alternative religiousness – which has its roots in the United States – also appeared on Europe’s societal stage. At first, it was hardly noticed in the political arena. This “new religiousness” was seen at best as a less problematic concomitant of the youth movement. Nevertheless, politicians were soon confronted with quite a large number of well organised religious and ideological groups.

The Churches were the first to look after this new field. Groups of individuals affected by the actions of these new religious groups (parents, family members, friends, as well as former group members) formed, usually around the Protestant and Catholic Churches’ commissioners in charge of sects. One of the first of these groups that were formed was the Munich initiative centred around Reverend Friedrich Wilhelm Haack, the Protestant Church’s Commissioner for Sects. In his paper on the “new youth religions”, Reverend Haack set an initial standard in the discussion. Subsequently, the phenomenon was referred to as

“youth religion” or “youth sect”.³¹⁾ Since most of the groups which emerged in Europe – usually coming from the United States – in the late Sixties acted as “collecting vats” for individuals who had been active in the disbanded youth movement,³²⁾ the problem was first and foremost a youth problem.

In addition, the new religious groups emerged when the population’s commitment to the Churches was declining. For this reason, it was assumed that there was a link between the growing attraction of the new religious groups for young people and the growing disillusionment with the Churches, especially on the part of young people. For a long time, the fact that the new religious and non-religious groups slowly began to offer life-counselling services was not sufficiently taken into consideration because the “sect approach” suggested that these groups were a purely religious phenomenon (cf. Chapter 3.5).

Since some segments of the public were concerned about the appearance of new religious and ideological communities and psychogroups, governmental bodies also began to express their views about this issue in the course of the 1970s. The German Federal Government and various state-level governments published brochures designed to inform the public about “sects”. Furthermore, some of Germany’s federal states established centres whose task it was to deal with the questions arising in this context, and to collect and process information and make this information available to the public. However, almost all of these centres only dealt with this issue “as a side-line”. As a result, it was not possible initially for any governmental concept to emerge. Even if approaches towards developing such a concept were made at an early point in time (e.g. in the 2nd Status Report published in 1983 by the Government of the State of North-Rhine Westphalia), it took quite a while until the various objectives and approaches of governmental, Church and private organisations began to become clear. This is a shortcoming which has persisted until today and which the Enquete Commission also has to address.

From the very beginning, public authorities benefited from work done by the Church commissioners and groups of parents and other affected individuals. The authorities were even largely dependent on this work because basic scientific studies on this subject were not available, nor was it possible to refer to social work or psychosocial counselling services in this context. This continued to make the development of a single governmental concept difficult. Initially, the governmental bodies had to rely on the work done by the Church commissioners and by private initiatives of parents and other affected individuals. Apart from very few exceptions, these private groups were the prime source of the necessary information gathered in the course of the groups’ daily counselling work and the support given to various groups of affected individuals (family

³¹⁾ In its Interim Report, the Commission described this development in great detail. Cf. the findings of Working Group 1.

³²⁾ This was made very clear by Steven M. Tipton: *Getting Saved from the Sixties: Moral Meaning in Conversion and Cultural Change*, Berkeley, 1982.

members, friends, colleagues, drop-outs). Other potential sources such as psychosocial counselling services, social workers, and academia did not provide sufficient useful information for governmental bodies.

In addition, governmental authorities expected the major Churches to have a certain competence and responsibility in religious matters, also as far as macro-social developments were concerned. This role of the Churches became questionable with the emergence of religious/ideological pluralism (see Chapter 3.1). As a result, the governmental bodies themselves had to assume greater responsibility, which made it necessary for them to compile know-how of their own.

Even today, it is difficult to measure the success of governmental measures adopted in connection with new religious and ideological communities and psychogroups. This is primarily due to the fact the political objectives were not clearly defined over a long period of time. What should or can be achieved by governmental intervention?

3.2.2 Objectives and instruments of governmental intervention

As far as religious beliefs are concerned, governmental action is subject to the principle of neutrality laid down in the German Constitution (cf. Chapters 4.1 and 5.5.3.1 for more details). However, the Constitution does not define what a religion or an ideology is; instead, the two terms are simply taken for granted. Even if the authors of the Constitution may have had Western Christian concepts in mind, today it is clear – in view of an increasingly multicultural society – that it is only with great care that any restrictions can be imposed on religious/ideological activities. Instead, the government is obliged to protect the freedom of worship – in particular the freedom of religious minorities – and to guarantee the right to exercise one's religion.

The role of government is to protect the citizens and to preserve social peace. In connection with the conflicts arising in the field of new religious and ideological communities and psychogroups, there are four types of governmental intervention:

- creating the legal setting,
- providing education and information and, where necessary, warning the public with regard to the activities of new religious and ideological communities and psychogroups ,
- helping “victims” or individuals who suffered harm due to the activities of new religious and ideological communities and psychogroups, or who try to re-establish contact with the rest of society after having been a member of a compulsory or closed group for a longer period of time,
- where necessary, mediating in conflicts between religious groups, or between citizens and groups.

One of the purposes of governmental action in this field is to reduce social tensions and to reconcile conflicting interests. For this purpose, it is necessary to identify objectives in an appropriate and comparable manner, and to find instruments for their implementation.

3.2.3 New religious and ideological communities and psychogroups as a challenge for society

In one of its hearings, the Enquete Commission asked various groups in society to present their views. The groups invited included the political parties represented in the German *Bundestag*; representatives of the Protestant Church, the Catholic Church, the Association of Free Protestant Churches, and the Central Council of Jews in Germany; the German Trade Union Federation, the German Press Council, and the German Sports Federation. In addition, representatives of Germany's industry associations were also asked for their views during the hearing dealing with "So-called Sects and Psychogroups in Business Enterprises".

All the organisations invited pointed out that this was an important issue to them, although only very few cases were reported where any of them were directly affected by the issue. All the political parties in Germany expressed a particular concern about the Scientology Organisation. The CDU/CSU, as well as the SPD and the F.D.P. have adopted incompatibility decisions³³⁾ because they feel that being a member or a follower of the Scientology Organisation is not compatible with membership in their parties. They contend that the objectives of their parties are not compatible with the objectives of the Scientology Organisation. This is obviously an exceptional approach because the political parties have expressly stated that they do not see any need for adopting similar decisions with regard to other groups.

All the political parties stated that they were not being infiltrated by the Scientology Organisation or by any other new religious and ideological community or psychogroup. However, they felt that it was necessary to provide information and education on these matters not only to the members of the political parties but also to the public at large. Brochures to this effect have been produced by the CDU/CSU, the SPD, and BÜNDNIS 90 / DIE GRÜNEN. Their efforts were invariably aimed at achieving an adequate approach to, and better understanding of, religiousness and life counselling under the conditions of a changing modern society. In addition, the representative of the F.D.P. pointed out that it was not only desirable but also necessary to adopt a common approach nationwide towards providing information and education on these matters.

The representative of the German Sports Federation stated that there had been isolated cases of attempts made to influence sports clubs, and that this applied in particular to the fields of marketing and sponsoring. The few cases that had

³³⁾ After passing through several stages of appeal, a final judgement has now confirmed the legality of the CDU's incompatibility decision.

become known involved the Scientology Organisation. However, there could be no question of infiltration. In this context, the German Sports Federation also provides information and education to its members.

The representative of the German Press Council drew attention to two other issues: First of all, attempts had been made repeatedly – in particular by the Scientology Organisation – to prevent consistent, systematic and aggressive reporting and commentaries. However, the representative of the German Press Council pointed out that, overall, these attempts had not been very successful to date; publishing houses and press organs had recognised the problem and were able to handle this problem themselves.

Secondly, it was up to the press itself to contribute towards objectifying its reporting on new religious and ideological communities and psychogroups. However, this issue was not a major problem in the work of the German Press Council. In the past few years, there had been an average of about 12 complaints in this area, most of them referring to the Scientology Organisation. However, there was no question of the press being infiltrated or even the freedom of the press being jeopardised.

Similar comments were made by the representatives of German industry associations during the hearing on the subject of “So-called Sects and Psychogroups in Business Enterprises”. It was pointed out by the representatives of the associations that this topic had gained considerable significance in recent years, although it was difficult to assess the actual magnitude of a potential threat; on the one hand, there were only few reports on specific cases where a group – in most cases, the Scientology Organisation – succeeded in gaining influence on a company’s management; on the other hand, companies had a major image problem and suffered massive economic losses if their name was mentioned in connection with a group such as the Scientology Organisation.³⁴⁾

Other aspects were emphasised by the members of the religious communities which had been invited by the Commission. The representative of the Catholic Church drew attention to the increase in the number of options available to individuals in modern society to find meaning in life. At a time of individualisation and growing diversity, the concepts offered by the Churches for finding meaning in life were less appealing to people. Approaches developed within the Churches and offers made to specific groups were also aimed at finding new approaches. The representative of the Catholic Church pointed out that the answer to the problem was not isolation; instead, attempts had to be made to meet new needs. After a period of fierce controversy with new religious and ideological movements, today the Catholic Church’s commissioners for sects are more relaxed and more focused on providing information.

³⁴⁾ As far as this hearing is concerned, see the Interim Report of the Enquete Commission, p. 62 ff. Cf. also Chapter 5.3 of the Final Report.

The representative of the Council of the Protestant Church in Germany pointed out that, on the one hand, it was necessary to prevent abuse in this new, complex situation. He was in favour of consistent consumer protection, including in the field of institutions or services offering individuals to find meaning in life and to cope with life; he suggested that there was a lot to catch up on in this area. On the other hand, the representative of the Protestant Church felt that any criticism with regard to a potential abuse should be launched very cautiously; otherwise, there was a risk that criticism of new religious and ideological communities and psychogroups and their offers might turn into general criticism of religion.

The representative of the Central Council of Jews in Germany said that she was “full of consternation” and that she was “offended” by the comparison made between the situation of the Scientology Organisation in Germany and the situation of the Jews during the holocaust. She strongly objected to this comparison. However, she felt that this problem also demonstrated that while it was necessary to have this debate in society, it should be handled very prudently. She stated that legislative action seemed less appropriate in this area; instead, it was necessary to identify and eliminate the social causes. She drew particular attention to the fact that new religious and ideological communities and psychogroups had failed to gain a foothold in the Jewish community.

The representative of the Association of Free Protestant Churches was concerned about the “sectophobia” that prevailed in Germany according to his observations. He pointed out that this impression was also corroborated by a study conducted by Infratest on behalf of the Enquete Commission.³⁵⁾ According to the representative of the Free Protestant Churches, this study showed that quite different groups were being lumped together and jointly considered to be dangerous and threatening, to the point that even the Free Churches were now included in this assessment. He reminded everyone that there was a need for careful differentiation and for an informed, appropriate treatment of the subject. He admitted that it was clear that warnings had to be expressed with regard to certain aggressive types of group; however, it would have to be equally clear in these warnings what specific groups and events they referred to. He pointed out that one also had to realise that the growth of problematic groups was largely facilitated by causes rooted in society.

In summary, the hearing of the social groups mentioned above led to the following findings:

- From their perspective, most of the identifiable problems and conflicts at the end of the 1990s relate to the Scientology Organisation.
- All of them rely on education and information; and they consider that some of the reports in the media and some of the reactions by the public are “too heated”.

³⁵⁾ Cf. Interim Report of the Enquete Commission, *Bundestag* Doc. 13/8170, Chapter 2.2.7, p. 33ff.

- They feel that the problems and conflicts experienced are also due to processes of change in society and efforts made by individuals and society as a whole to cope with these changes.
- They are concerned that the current “criticism of sects” might turn into a blanket criticism of religion.
- And the Free Churches, in particular, are concerned about the fact that an undifferentiated perception and fears in society might lead to stigmatisation and isolation of religious minorities.

3.2.4 Survey conducted among various groups

During its 34th meeting on 13 November 1997, the Enquete Commission decided unanimously to conduct a survey among various groups. The purpose of this survey was to find out from the groups concerned whether the public debate and the portrayal of new religious and ideological communities and psychogroups had any adverse effects on the groups or their members.

This survey was primarily carried out because of numerous requests and complaints addressed by various groups to the Chairwoman and the members of the Enquete Commission. The authors of these letters stated repeatedly that they were being discriminated against. A variety of groups have also submitted statements on the Enquete Commission’s Interim Report.

The Enquete Commission asked the groups invited to answer the following questions:

- a. What is your assessment of the public debate conducted by the media, politicians, the official Churches, etc. with regard to your community?
- b. What is your assessment of decisions, if any, taken by governmental/public institutions concerning your community?
- c. Are you aware of any members who have suffered disadvantages due to their membership?
- d. What is your assessment of the Enquete Commission’s Interim Report?

The Commission selected communities which had been in correspondence with the Enquete Commission and which were invited by the Commission. In addition, the Enquete Commission asked the Free Churches which are members of the *Verband Evangelischer Freikirchen* (VEF – Association of Free Protestant Churches) to answer the questions.

Some groups had interpreted the questions mentioned above to mean that the Commission was asking them in its letter to prove that they were religious or healing communities. They hoped that their answers would lead the Enquete

Commission to confirm at an appropriate point (in statements or in the Commission's Final Report) that they were not a "sect". Very few groups refused to answer the questions because they did not see themselves as "sects".

In addition to answering the questions in their replies, many groups also made comments on themselves or on the Enquete Commission's work, e.g. on the problem involved in defining the terms "sects" and "psychogroups". The groups criticised the fact, for instance, that the term "sect" was a "war cry used by the Churches". Similarly, some expressed concern about the fact that this term might be defined by Church representatives in the Enquete Commission. If this was done, some groups suspected that relevant movements within the major Churches would be deliberately excluded.

Survey findings

The answers given by the groups in their replies were most detailed with regard to the media. What the groups criticised most was that reports published on them were distorted or false.

What is particularly striking is that the groups feel that media reports on them are objective if they paint a positive picture of them. However, they feel that they are being discriminated against whenever they are criticised. The groups allege that critical media reports are due to, for instance, inadequate or insufficient investigations, sensationalist journalism, or simply ignorance.

Only very few groups criticise the way in which they are publicly portrayed by politicians or public institutions. Their criticism is focused on publications in the form of governmental "Reports on Sects"; because of the wording used in the Commission's letter, these reports were taken to mean "decisions taken by governmental institutions". The "Reports on Sects" were criticised for drawing on information from biased sources. In addition, it was also alleged that "decisions by governmental institutions" included negative portrayals in teaching materials, the withdrawal or refusal to grant non-profit-making status, as well as the banning of events, etc.

Overall, the survey conducted among selected groups or communities can be rated as a success. Of a total of 27 groups, 23 answered the questions put to them by the Commission, with some of the answers being very extensive. The vast majority of the groups contacted by the Commission are willing to continue to co-operate with the Commission. Some of the groups felt that the written questions were a particularly positive contribution towards initiating a constructive dialogue.

Many of the groups that responded were critical with regard to the role played by the Churches in their public portrayal. They claimed that the Churches' commissioners for sects and ideology issues were particularly powerful with their publications in influencing definitions, and that they also had a strong impact on public opinion. Overall, however, the responses varied widely:

- Most of the groups emphasised that they were willing to participate in a dialogue, and that they would like to have a more open and more intensive exchange of views with the Churches.
- A minority of the groups were critical and sceptical vis-à-vis their public portrayal by the Churches and tended to be doubtful about the Churches' willingness to participate in a dialogue with them.
- Only very few groups totally rejected any contact or exchange of views with the Churches. These groups saw the Churches as their competitors which they wanted to push offside. They did not expect a dialogue to develop, nor did they welcome such a dialogue.

The vast majority of the groups felt that there was little discrimination against their members in public life. While the groups reported quite a number of cases where members were discriminated against or put at a disadvantage through insults, verbal abuse, problems in their families and with friends and acquaintances, as well as problems encountered by children in schools and nursery schools, once their membership in a given group became publicly known. The Enquete Commission was unable to verify these isolated accounts.

Nevertheless, if one examines the statements in terms of their overall tenor, these accounts seem to describe isolated cases; while these cases have to be taken seriously, they do not at all reflect the general situation of minority groups in Germany. Instead, the generalising public debate ("sectophobia") is perceived as threatening and disparaging, not only by the Free Churches but also by other groups. Some think that one way out of this dilemma would be for the Enquete Commission to clear up the allegations by drawing up "black lists" and "white lists", as it were. Without exception, however, the responses indicate that groups questioned would like to see a more open and unbiased public debate.

3.2.5 Conclusions

The findings described above show that there are two trends in society with regard to new religious and ideological communities and psychogroups.

On the one hand, the progressing decoupling of religion and life-counselling has led to the emergence of a new, largely non-regulated field of social interaction. Many things that used to be integrated into the context of a religious life-style in the past are now also available from life-counselling providers in a non-religious context. Apart from the question of proving that such alternative offers are effective, they have also not at all been tried and tested in practice. In some cases, this creates considerable scope for conflicts and problems which must not be ascribed to religiously oriented life-styles.³⁶⁾

³⁶⁾ Cf. Chapter 3.5 for more details.

On the other hand, the findings which the Commission has obtained during its work suggest that current public debate is problematic. This debate can even aggravate existing problems if its overall impact is ignored. The Commission would like to make the following comments on this point:

In addition to the (still outstanding) development of a common concept with regard to education, advice and, where necessary, mediation on the part of the German Federal Government and the state-level governments, the following aspects seem to be noteworthy. While the information pamphlets published by the state-level governments played an important role in terms of educating the citizens and objectifying the public debate, they also had certain side-effects. Pamphlets on the general topic present highly different groups side by side, although they are at different stages of their development. The more problematic groups always have *radiating effects* on the other groups. Thus, the image of the “most dangerous group” at a given point in time tends to affect all the other groups in the same way. In addition, there are *accumulation effects due to the fact that the problematic features accumulate from one reference group to the next*, so that this may lead to incorrect general images in the minds of the readers of such pamphlets.

It is advisable that governmental information pamphlets should not provide such general reports; instead, they should present descriptions of specific groups or movements for which there is a *current* need for information and education. These descriptions of specific groups or movements should basically be *conflict reports*, and they would have to be updated regularly. These reports should also distinguish between legally relevant “hard” conflicts and other, more socially relevant “soft” conflicts. A side-effect of such an approach would also be faster availability because in the event of a legal dispute, this dispute would be limited to the group described in the report. Hence, there would not be the accumulation of legal actions and temporary injunctions which have led to major delays in the publication of governmental information pamphlets in the past.

On the other hand, this would also create incentives for contentious groups because there would be no need for a report if a group eliminated or reduced the intensity of particularly controversial characteristics and patterns of behaviour. At any rate, conflict characteristics could no longer be ascribed collectively to the entire sector.

In addition, generalising terms such as “sect” should be avoided altogether. Instead, it is necessary to use more specific terms which describe the orientation, as well as the objectives and, where applicable, the particular conflict characteristics of the group concerned (cf. Chapter 2).

Since one of the reasons for the attractiveness of problematic religious or non-religious groups is the desire of individuals to be able to cope with change processes in society, better information and education can only be part of the solution. This has also been confirmed by the Commission’s hearing of various

social groups. In a broader sense, it is also a societal problem. And it is also part of the modernisation of society that the social settings for the life of the citizens must be designed in such a way that problematic developments – whether religious or political in nature – will have little prospect of success. These framework conditions also include social attributes such as prosperity, solidarity, and empathy, as well as cultural and intercultural learning and tolerance. However, they also include a broadly-based debate in society on questions of religion, ideology and life, and the scientific study and analysis of these questions. Neither task has been adequately fulfilled in the past few decades.

3.3 Group structures, activities and objectives

3.3.1 Opportunities for, and limits to, establishing a typology

In accordance with the Commission's intention to largely do without referring to specific groups, the following description of group structures, activities, and objectives is typological in nature. It is designed to capture general, significant, and specific characteristics, while at the same time paying attention to concrete particularities. The Commission's hearings of groups have served, *inter alia*, as a source of information for the development of the following typology. The Commission has approached the subject from the perspective of the conflicts or the conflict-proneness of groups in a wider social context.³⁷⁾ In this context, it should not be overlooked that conflict-proneness is not usually a unique feature of the religious and ideological groups described below; instead, such conflict-proneness can also be found in other sectors of society. Nevertheless, there are also specific conflicts which are due to religious or ideological claims.

The typology covers characteristics which, first of all, (can) apply almost without exception to all religions, religious and ideological groups, communities and movements; hence, they do not pose a problem. At this general level, it is not possible to provide an adequate description and assessment of conflicts and conflict-proneness. In addition, some of the potential conflicts and conflict constellations may be quite normal in the context of religious conversion and socialisation, and should therefore be tolerated, at least in principle and as far as government is concerned. For this reason, there is a considerable need for a differentiated description which also includes concrete conflicts. Such concrete conflicts illustrate that certain identifiable group structures appear to be inadequate, problematic, dangerous, etc. because their purpose is to achieve *certain* specific objectives by means of *certain* specific activities (cf. Chapter 3.3.5).

Secondly, there is also a risk that this may lead to unacceptable generalisation. In this case, the most conflict-prone groups or those which are most highly developed in organisational terms are then chosen as a model and paradigm; or

³⁷⁾ See also Chapter 2.

conflict-promoting characteristics in structures, activities and objectives are described in an additive form, which creates the impression that the sum of all negative characteristics thus obtained applies to all groups, and equally. “Sects” would then be indiscriminately seen as being “totalitarian” and organised in a “rigid hierarchy”, etc.; they would be seen as being involved in “aggressive recruitment” or “evangelising”, while simultaneously or primarily pursuing economic and political objectives; and they would be ascribed at least a tendency to lust for international/global influence or power, which they may have already achieved to some extent. On the other hand, there is a risk that even blatant cases of abuse may be justified by religious and ideological motives.

Hence, the following points should be clearly stated from the onset:

- Some groups have an effective global or international organisation and are structured accordingly.
- Not all groups with an international or global organisation are equally conflict-prone.
- Almost all of the groups addressed in this Report – including those with a global organisation – are minorities, both on a global and on a national scale. However, minorities can also be a source of hazards for individuals and/or society as a whole.
- Groups which pursue universal objectives and international ambitions do not necessarily have the effective structures and the influence required to attain these objectives and fulfil their ambitions.
- In terms of their structure, many groups range somewhere between an informal organisation and a stable institution.
- Even the smallest groups with a predominantly informal organisational structure or limited local activity can be highly contentious and cause considerable conflicts in their limited sphere of influence.

The following general description includes elements found in the development of any group or community, as well as the basic elements inherent in the development of religious or ideological groups and communities. Generally speaking, these elements are not problematic as such, at least with regard to governmental action.

It must be assumed that, when religious or ideological groups and communities establish themselves, there is always a potential or latent chance that conflicts will arise. This is due to the particular demands imposed by religions and ideologies in terms of life-style and way of life. Whenever groups with controversial or radical views come across vulnerable individuals and conditions, there is a particularly high likelihood of conflict.

Hence, the following chapters describe a framework which can be applied under a variety of circumstances and which needs to be filled with specific constellations and patterns of conflict.

3.3.2 Overview of structural elements of new religious and ideological communities and psychogroups

Many, if not most religious and ideological groups are established because individuals, ideas, intentions and practices of a religious and/or ideological nature interact with each other; i.e. there is a more or less informal network of relations. These elements can usually be identified and linked with each other when such a network develops into a genuine group.

Similar patterns may also be found in the genesis of psychogroups, as well as mixed types with features of profit-minded business enterprises, and extremist political groups, etc.; this also applies to the subsequent development steps:

- The central point of reference is an individual who is considered to be the leader, master, source of revelations, mediator of salvation or healing.
- There are ideas, doctrines, convictions, views, etc. which vary widely in terms of their nature (e.g. revelations, visions, auditions, rules for living, as well as social, cultural, economic, and political convictions and objectives) and in terms of their origin, and which almost exclusively were developed by the individual who is seen as the central point of reference, or are attributed to this person.
- Alternatively, or closely related with the elements described above, there are saving, salutary, curative or – in the broadest sense – beneficial effects, forces, energy flows, etc. which are attributed to the individual who is the central point of reference.
- There are practices and rituals.
- There are followers whose relations amongst themselves are largely dependent on, or even superseded by, the elements mentioned above.
- Distinctions are made between followers, depending on whether they are permanent or occasional supporters (sympathisers, bandwagon jumpers, etc.); whether they are close to, or distant from, the central person; and whether they have the associated powers in terms of teaching, setting rules that determine the lives of followers, and in terms of organisation and administration.
- While there is a more or less pronounced separation from outsiders or non-followers, there is also a more or less intensive relationship with those who are inside, i.e. the followers and the elements that support them (the group or the organisation tends to be the demarcation line of truth or life and salvation).
- When group structures become more firmly established, important factors to be considered include not only the requirements derived from the doctrine and the associated internal guidelines governing the actions of a group, but also the impact of such requirements and actions on society as a whole, as well as the reactions and repercussions in society. The effects can include changes in objectives or deformations caused by the isolation of groups, due to interactions between the group and its social environment.

When small informal groups develop into larger and better organised groups, it is possible to distinguish between six phases or aspects which are of particular interest:

- a. Informal relationships which are still unstructured – vis-à-vis both the outside and the inside world – develop into structured small groups, which eventually become large groups (which may also have a binding legal status).
- b. Satellite units – i.e. other groups with permanent ties to the primary group – are formed, usually at other locations or even in other countries.
- c. Theory and practice are codified and generalised.
- d. A larger or large organisation evolves, which may be active internationally or world-wide.
- e. Sub-organisations, subsidiary organisations or covert organisations are established; these other organisations may pursue secondary or partial objectives of a cultural, economic or political nature.
- f. A solution is found with regard to succession, i.e. the transition of leadership from the original central figure to another individual or a group of several persons.

Each of the phases mentioned above may trigger specific conflicts, either within the religious/ideological context itself or outside. As far as the theory and its application in practice is concerned, it is important how both fit into, and relate to, their socio-cultural environment in religious, ideological, and cultural terms, etc. (e.g. they may either accept or reject this environment). This has a particular impact on concrete and practical issues of life and concrete life-styles (e.g. questions of authority, obedience, married life, work, family, and raising children).

It is difficult to identify general characteristics of relationship patterns which tend to prevent conflicts versus those which tend to promote conflicts. However, the question as to how the central authority (master, teacher, etc.) defines his/her relationship with his/her own background in terms of the history of ideas or traditions, and how he/she relates to the other (non-member) advocates of these ideas, traditions, promises, etc., seems to play an important role in most cases.

There is a particularly great likelihood that a radical development will occur whenever two conditions coincide: First of all, the community claims to be the sole representative of its religion/ideology vis-à-vis other, closely related religious/ideological communities; i.e. it feels that it is the only group that is entitled to communicate its promises, etc. Secondly, this exclusive claim is not substantiated by actual modifications or significant differences in terms of theory, etc. On the contrary: Relative to the original traditions, the community's own ideas and practices are more restricted and extremist, so that the claim of exclusivity cannot be justified by intellectual or practical substance. In this situation, the

central figure of the community (or the community itself) can enhance its self-perception by means of psychological and social radicalisation. The purpose of the conflicts which arise in such cases is – at least initially – to consolidate one's own identity by developing enemy images, etc. The community's social isolation and "insulation", as well as its marginalisation and stigmatisation, are the results of interactions between the increasingly radical group and conflict-promoting or mediating reactions of the environment. This can be illustrated by means of the two following examples:

- In the 1930s, Jehovah's Witnesses developed under Rutherford from a loosely organised community of "serious bible researchers" to an organisation with authoritarian structures.
- From 1986 to about 1995, VPM evolved from a group of young followers gathered around a charismatic leader (Friedrich Liebling) to an ideological psychogroup.

Conversely, it is often possible to reduce conflicts because the ideological and practical substance of a community changes in the course of its development; and/or the group's claim to exclusivity is put into perspective or eventually even abandoned altogether. A well-known case in point is the post-war development of the Seventh-Day Adventists in Germany, from an exclusive special community to a Free Church.

Another important factor for an analysis of contentious developments is the question of whether a group's theory and practice can be qualified as being religious and ideological in the narrower sense, or whether they also cover other areas such as culture, economics and politics to some extent, significantly or even primarily. It is part of the nature of religious and ideological concepts that these areas are also covered. However, in view of the fact that these areas are separated from each other in a modern state, this raises a particular problem which explains the conflict-proneness of some groups, in particular so-called sects and psychogroups. This applies especially to extremist political groups. It is noteworthy that some (many) of the internationally organised groups which are active in Germany have passed the development steps mentioned above elsewhere (e.g. in the United States).

3.3.3 Description of typologically generalised groups

The various development steps are described below. This description is based on concrete groups which, however, have been generalised for the purpose of this typology.

a. Master circle

New religious and ideological communities and psychogroups often revolve around a male or female master (prophet, etc.) and a circle of persons gathering around this individual. The founders usually do not come from a religious/ideolo-

gical “vacuum”; instead, they rely on existing religious, ideological or general cultural convictions which they either give a new interpretation and update, or which they reject, sometimes strongly, polemically, etc. Much of the plausibility for the circle of followers who gather around the master is derived from this positive or negative reference to the religious, ideological, cultural, and social environment.

A characteristic feature of the way in which such groups are founded – which in fact applies to the beginnings of many traditions – is the strong attachment to the master, the circle of people around the master, his doctrine and life-style, etc., which can lead to profound changes, upheavals, and reorientation in an individual’s private, religious, social, and professional life.

Initially, the structures in this founding circle tend to be rather informal; usually, however, informal differences, hierarchies and membership categories begin to manifest themselves even at this early stage. The circle’s activities and objectives are designed jointly to preserve and cultivate their new knowledge and the new life-style they practise. Often, recruitment activities are also of a more informal nature (word-of-mouth propaganda, simple leaflets, etc.).

b. Transition from a circle to a group

A crucial step in the transformation from a circle to a group or large group (terminological accuracy is not considered to be important in this context) is the development of formal group structures. These result or may result from the need to cement the position of the founder and the circle of people closest to the founder. A broad spectrum of objectives may be pursued in this context, ranging from religious and ideological objectives in the narrower sense to merely consolidating one’s power and exercise of power; often these objectives overlap, and it is not possible to draw clear-cut lines between them. The general reason for the transformation of circles into groups is the desire to adapt the life of the group to new circumstances, for instance, in the event of rapid growth or because of the need to organise the relations with followers elsewhere and with newly emerging groups, so as to be able to recruit or evangelise more efficiently, etc.

Often the key impetus for the development of formal structures comes from the founder himself, i.e. it emanates from the latter’s missionary zeal; however, this impetus may also come from a group of “managers”, i.e. individuals who organise or “manage” the founder, as it were. The primary objective and interest of this formalisation process is to ensure the sustainability and continuity of essential elements of the group: both on the inside and towards the outside world, by consolidating the (exclusive) position of the founder, his doctrine and his practical life-style across long distances in the group’s missionary expansion and in the interest of increasing the efficiency of this expansion; in addition, rules on the assignment of powers and membership status also serve the purpose of preserving essential elements of the group. This stabilisation and institutionalisation phase is, or may be, associated with the adoption of legal rules, both internally and in terms of civil law (i.e. establishment of an association under civil law, adoption of a financial regime, etc.).

This phase basically completes the development of a new organisation, which does not rule out a continuation of the institutionalisation process, e.g. in the event of geographical expansion, additional growth in numbers, the death of the founder, etc. The characteristic features are the group's formalisation and stabilisation on the one hand, and its differentiation on the other. These three processes may be associated with the development of a variety of permanently installed power, influence, and decision-making structures and levels, as well as related competencies in terms of defining activities and objectives, hierarchies and dependencies, the distribution of responsibilities, and fixing rules on membership, status, and membership say, etc. When satellite units (i.e. separate local chapters) are established, it is important how the relationship between the head office/parent organisation and the sub-groups is organised. Many of the supra-regional groups with a long-term conflict potential are stable entities with a sophisticated organisational structure. A strengthening of the group's formalised and complex structures, activities and objectives may be the result of a transition from the founder to one or several successors.

c. Organisations operating nation-wide or internationally/world-wide

A step which is associated with, results from, or follows the stage described above is the development of an organisation which is present nation-wide or internationally/world-wide and which may have a Church-like structure. Generally speaking, this phase is organised exactly like the previous one; however, everything is more complex, and hence less transparent (e.g. management structures, legal conditions, financial regime, etc.), especially if the organisation or network involved is active internationally/world-wide.

The various groups may vary widely in terms of origin, self-image, age, etc.; however, they are all variations of a basic model. This also applies *mutatis mutandis* to ideological communities, so-called psychogroups, mixed types with ideological elements and a strong emphasis on economic objectives, and extremist political groups.

With very few exceptions, the new religious and ideological communities and psychogroups that are now present in Germany did not evolve into international/global organisations from their base in Germany; instead, they achieved this development abroad, mainly in the United States, and then went to Germany as more or less developed international/global religious organisations. This may also give rise to specific conflicts (inculturation problems).

d. Groups with sub-organisations and subsidiary organisations

A number of new religious and ideological communities and psychogroups which are present nation-wide and/or internationally/world-wide have established additional institutions and facilities in the fields of culture, education, medicine, business, and politics. This sometimes leads to conflicts which go beyond a religious or ideological context in the narrower sense.

It is necessary to clarify how the structures, strategies, and objectives of a religious and ideological parent organisation relate to the religious/ideological objectives, and to the structures, objectives and activities of subsidiary organisations. There are four potential models which are, of course, not clearly distinguishable from each other:

- While the subsidiary organisations are partially independent in their activities, they are clearly subordinated to the religious/ideological parent organisation. In this case, there is only a minor or limited additional potential for conflicts.
- The subsidiary organisations pursue the objectives of the religious/ideological parent organisation, however in a concealed fashion, i.e. in the form of educational and cultural services, or in the form of medical, economic, social, and political activities and facilities. This gap between declared and (possibly/actually) envisaged objectives is, or can be, highly contentious.
- The activities of the subsidiary organisations – in particular those which are of a commercial or political nature – apparently or actually serve commercial or political purposes in the true sense of the word, i.e. the organisations involved try to combine the pursuit of their own religious/ideological objectives with commercial or political objectives (which may be quite far-reaching). Such activities may be international/global in scope, or they can be limited to a national or local/regional scale. Such a twin or multiple-track strategy – which differs from the ones described above in terms of its scope and scale – can also be highly controversial.
- Objectives or organisations and their activities which are officially described as secondary or subsidiary are actually, or at least appear to be, primary objectives; the declared primary objectives of a religious/ideological nature are/appear to be a mere pretext. In specific cases, this reversal of the objectives and the related activities may be hard to identify, which may shed some light on the controversies regarding the question as to whether numerous new religious groups are actually religious or only pretend to be.

In all four cases, the likelihood of a conflict increases with the number, efficiency, and lack of transparency of the subsidiary organisations and their activities. This applies in particular if it is difficult to identify the exact extent to which the subsidiary organisations or sub-organisations are associated with the primary organisation, its management and management structures, as well as its objectives and activities, especially in the case of covert organisations.

3.3.4 Mixed forms, commercial enterprises and pyramid selling

In this context, there are also mixed forms of organisations for which commercial or political objectives become so important that any existing ideological or religious beliefs and objectives are superseded or even replaced. This does not exclude the possibility that much of the development of these groups initially

follows the patterns of development outlined above. As commercial or political objectives become predominant, new elements are added which result from the nature of the objectives which may now be pursued in a covert manner. It is quite possible in such cases that some of the followers will continue to be interested in the group's ideological objectives and that they declare for themselves that these objectives are their primary interest.

There is broad range of organisations and service providers in this so-called psycho-market or life-counselling market. The activities of these providers include personality development courses and seminars, management consultancy, direct selling, multi-level marketing systems and even pyramid selling systems (see Chapter 5.3). Such organisations also include groups which offer users a mixture between the "dream of big money", ideology and esoterics. In the past few years, various organisations operating in this field have been increasingly subject to critical questions. It is safe to say that it is not always easy to draw a clear line between respectable, qualified pyramid/direct selling enterprises and providers of training courses for the business community on the one hand, and less respectable, problematic providers on the other; furthermore, the methods used by such operations can also be applied in specific companies and corporate activities.

Some of these types of organisation deliberately claim for themselves that they work primarily in accordance with economic principles. However, many of the structural features such as the pyramid-like organisation (where possible, everyone should be both an employee and a customer; new employees are assigned to the person who recruited them, etc.) do not apply to all groups. The primary focus of these organisations is not on ideological issues but on enabling the individual to make a monetary profit. In many cases, however, hopes of success are supported by a "winner ideology". Those who join such organisations are not only people who would like to make a big profit with their money within a short period of time, but also people who hope to avoid a social decline by joining these organisations.

When new participants are recruited, the techniques used are designed to influence the individual psychologically. The world is sub-divided, for instance, into "winners" and "losers". The recruiters suggest to a prospect that an individual can achieve anything he wants, if only he puts his mind to it. During this early phase, individuals are already immunised against possible objections. Only the individual can fail, they are told, not the system. If the newly recruited individual is willing to go along with the "system", an attempt will be made to "install" a compatible corporate ideology and identity. The use of corporate phraseology, a commitment to money and success, a uniform dress code – all of these things can help to create identity. Bonuses which are distributed to employees in the presence of all their colleagues give a taste of the success to be expected. Employees in management positions enjoy almost the status of a cult figure. The feeling of belonging together is strengthened by means of group-dynamic games, and by allowing the employees to experience extreme situations to level out any differences among them.

Expensive status symbols and further education are prerequisites to rising in the hierarchy of the system. In some cases, it is also possible to pay a certain amount of money in order to reach the next higher status level, which makes the individual's prestige and rise in the system more profitable. The general conditions prevailing in this system context often lead to a complete change in the way participants think, feel and act. What emerges is a separate world, which is viewed only from the perspective of corporate ideology. The company becomes a substitute family. Former social relations with other persons are abandoned, unless they qualify as potential customers and employees.

The high cost of status symbols and never ending training courses, etc., as well as the losses due to unsold merchandise, in many cases lead to financial bankruptcy because no individual can rise as quickly in the system as is suggested during company events.

3.3.5 Potential conflicts

In the past 30 years, some new religious and ideological communities and psychogroups have proven to be contentious during certain periods or permanently; others still are today. It should be noted in this context that conflicts are interactive and may be caused by either side.³⁸⁾ By way of a typology, these potential conflicts can be sub-divided as follows:

- a. Conflicts with the societal system. When groups want to achieve changes which are not compatible with a democracy under the rule of law (e.g. abolishing the equality of men and women and of all individuals by introducing a cast system; depriving individuals of their civil rights if the latter do not adhere to the group's principles), then this is a problem. Such doctrines, and practices which may result from such doctrines, harbour a large potential for conflict.
- b. Conflicts with existing laws. Various court cases have shown that some groups fail to comply with, or even deliberately try to circumvent, German labour laws and social security legislation; some at least tried to do so in the past. There have also been cases where some groups were in conflict with fiscal laws and criminal law. The Commission also discussed cases where groups instructed their members to commit illegal and unethical acts, or where groups condoned such acts. It is not possible for the Enquete Commission to say whether organised crime is involved in specific cases; instead, finding an answer to this question will continue to be the responsibility of public prosecutors and their investigations.
- c. Some groups are prone to conflicts because their internal organisation is characterised by totalitarian power structures and because they have restricted or abolished the constitutional rights of their members. These

³⁸⁾ See Chapter 2.5.

power structures are associated with very powerful “context control” (e.g. by means of internal disinformation), with extremely heavy workloads imposed on members and promises of compensation “in the next life”, as well as with personality cults (idolisation of individuals), etc.

- d. The doctrines advocated in the groups can also lead to conflicts, if these doctrines are associated with
 - an ideologisation tending towards a total absence of experience,
 - a simplification of reality, going as far as a loss of any sense of reality,
 - a resulting immunisation against experience and criticism,
 - an absolute and exclusive claim to the truth, which rules out the possibility of any error of one’s own and which creates “truth barriers” between the inside group and the outside world,
 - ethics that apply only to the inside group and which at the same time annul the ethical standards to be observed when interacting with others,
 - “psychotechnical” patterns of thinking, etc. Communicating with the social environment creates difficulties which lead to strains in, or even disrupt, the group’s relationship with society (cognitive and moral dissonance).
- e. Some groups provoke either permanent or temporary conflicts with the rest of society in order to strengthen their internal solidarity.
- f. Some groups mix their religious beliefs with commercial activities, or they use religious objectives as a pretext for pursuing commercial and political goals.
- g. The external relations of some groups are prone to conflicts if they are characterised by a strong sense of mission which does not respect the rights of others because they are seen as being wrong by definition; and if they are characterised by group egotism which does not allow the individual to assume any responsibility for the environment; by external disinformation; by unethical or covert recruitment methods, and by being hostile towards their societal environment and the rule of law in a democratic state.
- h. Some groups are prone to conflicts because they try to make it impossible for members and followers to leave, thereby curtailing the rights of their members, including the right to choose another denomination. This happens as part of a gradual process:
 - by means of economic measures: Members/followers are brought to sacrifice their property and their lives for the group (e.g. by breaking off their vocational training) – for the sake of the group’s objectives – so that leaving the group may threaten to disrupt an individual’s whole life line;
 - by means of social and socio-psychological measures: Members/followers are brought to break off all other social relationships, so that when they leave the group, they may be left completely isolated socially;

- by non-material measures: Members/followers are brought to adopt views which are in crass contrast with the views of their social environment, so that when they leave the group, they are disoriented psychologically and in cognitive terms;
 - by other measures which in colloquial language are referred to as “psycho-techniques”³⁹).
- i. Conflicts also occur when groups promise unsuitable achievements which – as far as anyone can judge – are either unattainable or can only be reached by the leadership elite (gospel of prosperity, pyramid selling), superhuman capabilities (flying), healing, etc., without being able to live up to these promises, not even to a minimum extent. Such conflicts are significant when people have to pay money to acquire the promised skills.
 - j. Furthermore, conflicts are caused by groups when they deliberately alienate their members/followers from their families and other social contacts, by bringing them to break off their education or to “drop out” of their professional lives.
 - k. Numerous conflicts can emerge for children when they are socialised in an isolated group which makes it difficult or even impossible for them to live a life in social reality; in some groups, children are also deprived of their natural opportunities for development.

3.3.6 Digression: Enlistment and recruitment strategies

The following chapter gives an overview of the enlistment and recruitment strategies used in this particular sector. In this context, the same caveat applies that we expressed with regard to group structures, etc.: It is certainly not true to say that all groups have a highly developed, comprehensive, multi-level repertoire of enlistment and recruitment strategies. Such strategies require a sophisticated organisational structure and a certain size in terms of followers or members as well as a certain financial scope which can be found only partially and only in some groups. This means that many groups do not make use of all the methods, but select only this or that method from the strategies mentioned above. And not all of the strategies mentioned are used to recruit followers and members for institutionalised and properly organised groups; in many cases, individuals are attracted by activities offered in the so-called psycho-market or life-counselling activities. Finally, it must be borne in mind that some of the enlistment and recruitment strategies presented below are ethically and legally acceptable. Nevertheless, one should be aware of the fact that new religious and ideological communities and psychogroups – as well as other relevant groups in society – practise systematic recruitment. Such recruitment is perceived as controversial when manipulative elements or forms of hidden recruitment are predominant.

³⁹) Cf. Chapter 5.1.

To date, there have been very few systematic publications on the methods used for enlistment and recruitment. An expert report for which the Enquete Commission intended to award a contract did not materialise because of the short period of time available. Information on recruitment methods can be obtained by looking at the groups' recruitment materials, observing the behaviour of "recruiters" in the groups, attending pertinent events, and by reading or hearing reports of "dropouts".⁴⁰⁾ It should be borne in mind in this context that enlistment and recruitment methods vary widely because of the differences (which in some cases are substantial) between new religious and ideological communities and psychogroups in terms of their age and organisational structure.

More than traditional religious communities, new religious and ideological communities and psychogroups primarily depend on advertising and recruitment efforts to attract new members, followers, participants and customers. In principle, not much has changed in this respect even for those groups which were established in the past century, although many of these groups have now seen the arrival of the "second generation" and although some of the future members are now also "born into" these religious communities. However, most of the new religious and ideological communities and psychogroups do not have enough members and their membership turnover is too high to be able to safeguard the group's survival even at its current size. Aside from those groups which want to fulfil the promise of salvation only for themselves and which therefore isolate themselves physically or withdraw from society, all other groups depend on active recruitment to obtain new members. This applies especially to groups which a priori are aiming to reach adults only. New groups are obliged to approach the general public by advertising their ideas, their promise of salvation, and their cults.

In their campaigns designed to recruit new members and followers, they assume that there is a "clientele" which is free, at least formally – a clientele whose "religious", therapeutic and other needs they try to satisfy by means of the activities they offer. At the same time, they have to compete with the major Churches and amongst themselves, as well as with other potential leisure pursuits.

In order to find buyers, followers and members, new religious and ideological communities and psychogroups use the methods developed by the advertising industry. However, there are major differences between the groups when it comes to the finer details, and the advertising methods used also vary, depending on the target group envisaged. While some groups tend to use unprofessional advertising methods, others mail glossy brochures, for instance, to selected addressees. These brochures include not only an invitation to attend a course customised for a given professional group or some other event, but also

⁴⁰⁾ Cf. Zinser, H., *Der Markt der Religionen*, Munich 1997, p. 111 ff.

reply cards for ordering another publication, usually free of charge. One can find advertising materials produced by new religious and ideological communities and psychogroups almost everywhere that a large number of people gather: in pubs and student cafes, in esoteric and ecological shops, at esoteric fairs, at conferences on related subjects, at in-company and other further education courses and at neighbourhood festivals. Time and again, many groups try to recruit new members by directly approaching individuals in the street and by putting up book stands in public places. Only a few groups engage in door-to-door advertising. In addition, ads are inserted in the relevant sections of all local city information magazines to publicise courses and information events where the “entry package” is often offered on a free trial basis.

Some of the groups such as the new Christian groupings, the so-called classical “sects” as well as groups that offer help to individuals looking for meaning in life, etc. use clearly religious themes in their advertising. Other groups offer: practical, usually commercial life-counselling; management courses; therapies; the promise to increase the individual’s working and performance capability; healing; professional, legal and health counselling/advice, etc.; in other words, they cover subjects and provide courses which at first glance do not appear to be religious, or only pretend to be religious, or which do not have any religious background. Some groups have established sub-organisations which are responsible for marketing these courses and activities. Occasionally, the relationship with the religious group is concealed, and it requires considerable effort to identify the ties which such “cover organisations”⁴¹⁾ have with other groups. Many of these advertising activities can probably be qualified as sham advertising designed to conceal the actual recruitment method applied, so-called dialogue marketing, i.e. establishing contact with the “candidate” by means of personal talks. The recruiters contact their “customers” in the framework of courses and address their weaknesses, needs, wishes, fears and desires. At the same time, they make promises with regard to solutions to the individual’s problems. In this process, they appeal to the individual’s emotions. Their performance (packaging: friendliness and empathy) triggers certain dynamics. Once the “customer” has been given the impression that he/she has learnt something, that he/she has achieved a positive development (and this impression is evoked by the recruiters and in the groups, and it is then socially confirmed in the groups), the “customer” is given the credible assurance that he/she can improve even more. At this point, the candidate is encouraged to attend further courses, where he/she can eventually be “converted”, which is the actual point of the exercise. If the “candidate” does not contact the group on his/her own, the recruiter will establish this contact, either by phone or even by visiting the “candidate” personally. During these contacts, the recruiters succeed in interpreting the candidate’s personal as well as social, ecological, and economic problems as religious or psychological problems, in keeping with the doctrines of their leader or group. This seems to help the individuals to find meaning in their lives,

⁴¹⁾ Cf. e.g. Haack, F. W., Findungshilfe 2000, Apologetisches Lexikon, Munich 1990.

so that some feel relieved of their relevant problems, at least temporarily.⁴²⁾ The groups have realised that any efforts made to spread their concept of the meaning of life must be focused on the individual and that this concept can only be conveyed by people. This realisation suggests that establishing direct personal contacts is also the most promising approach for groups whose advertising efforts are aimed at integrating new members. This finding is confirmed – at least partially – by the fact that a considerable percentage of the followers of most groups is recruited by personal acquaintances (friends, colleagues, etc.). For most people, publications which describe the ideology and the religious belief of a given group are of secondary importance; however, such publications can generate interest in, and create a positive attitude towards, the group concerned. The purpose of events that are organised is to create a feeling of belonging to a group and to facilitate group experiences in order to confirm the religious or psychological “concept of life” adopted by the group’s members and followers.

During these recruitment talks – and even before – the recruiters apparently differentiate among their target customers by subdividing them into those who will only spend money on courses, meditation events, books, religious articles, devices, etc. and those who can be expected to become future members or co-workers. Because of their positions in society or in professional life, other persons are not primarily contacted with a view to recruiting them as future customers or members; instead, they are expected to help the group become socially accepted and to be recognised in society. It is not always easy to detect this intention, especially since many groups also feel that they are being “persecuted” and marginalised and also portray this image to the outside world, creating the impression that they are in need of help.

Some groups organise expensive world tours to the “holy” sites of the major religions. The individuals participating in such tours are carefully selected; it is virtually impossible for them to escape the group’s dialogue marketing efforts during the entire trip. Other groups use such tours to reward successful members (trips to their headquarters located in another country, or to other special locations).

Some of the “courses” and cultic events organised are very expensive, so that students or trainees can afford such events in exceptional cases only. For this reason, advertising for such courses is mailed only to groups of persons who are expected to have an interest in such courses and to be able to afford them because of their professional and economic positions and functions. In some

⁴²⁾ Currently, there is a lack of empirical studies on the reasons why people go to such groups and attend their events (e.g. Klosinski, G. *Warum Bhagwan? Auf der Suche nach Heimat, Geborgenheit und Liebe*, Munich 1985). However, it is very difficult to carry out such studies successfully because some of the members refuse to answer these questions for themselves while others only repeat the answers given in the doctrines of their group. These individuals have assimilated the their group’s “explanations” of their personal problems and questions. This assimilation of the “explanations” offered by the groups can be described as the true objective of the recruitment methods applied and the efforts made to convert individuals.

cases, the courses are disguised as courses designed to provide basic and further education and to upgrade professional skills. Some groups and event organisers claim in their advertising that they have a system of courses at the end of which candidates can become teachers themselves; and they create the expectation that course graduates will be able to earn their living in this way. In some cases, such advertising is deliberately aimed at a group of persons who, after completing an extended education at a technical college or university, failed to find the positions that they had hoped for. It seems that, overall, new religious and ideological communities and psychogroups provide courses and activities which are designed to meet the needs of a variety of social groups in different circumstances. However, each group is usually oriented towards a certain clientele; only very few groups try to reach several target audiences. Hardly any group's advertising is addressed to all social strata or all professional and population groups.

However, there are also groups – such as various (albeit not all) zen groups and some shamanistic groups, as well as the esoteric grail movement, etc. – which practically do not engage in any advertising and which even have reservations with regard to the use of word-of-mouth propaganda.

Once again, there is a need for further research in this area as well, especially in order to be able to distinguish the dubious and seductive recruitment methods from those that are still legitimate; and in order to be able to provide sufficient prior information to participants at recruitment events with regard to direct and – more importantly – indirect methods of influencing individuals.

3.4 Occultism/Satanism

Today, hardly a day in the week goes by without sensational reports in TV or radio programmes and in newspapers or magazines about occultism or Satanism. In particular young people are assumed to be affected by an epidemic increase in the interest in occult practices. However, the interest in, and use of, occult practices is not at all limited to young people.

Satanism is a particular source of controversy in this area. However, empirical studies have shown that there is a particularly wide gap between media coverage and reality in this context.

It cannot be denied that there is a risk that the media not only cover and report on “trends”, but that they also produce “trends”.⁴³⁾ However, it is not only the media that can play a “trend-setter role”. Experts and scientists will also have to subject their services and their methods of work to careful (self-) reflection and supervision in this context.

⁴³⁾ Cf. Müller, U.: “Zur Konstruktion von Wirklichkeit”, in *Jugend & Gesellschaft*, 4, 1988.

3.4.1 The scope of occult and Satanic phenomena

Today, a number of empirical studies are available about the scope of occult practices and concepts – especially among adolescents. However, only very few studies have been conducted with regard to adults.

The concepts and practices of modern occultism are more widespread than organised religious practices. According to various studies, occult concepts and practices are – half jokingly and half seriously – part of the everyday life of about one-quarter of adolescents.⁴⁴⁾ The share of adults who left the regular school system early and then went to evening schools or other educational institutions is even higher.

Various studies have shown that between 20 and 30 percent of the population – in some cases even more – believe in occult phenomena,⁴⁵⁾ i.e. effects of hidden forces and powers that cannot be perceived by the human senses; devotees of occultism believe in the force of lucky charms, fortune-tellers, faith-healers, astrology, etc. However, these figures say nothing about the question of whether these people actually take their everyday decisions on the basis of horoscopes, the pendulum, tarot cards or similar things.

Depending on the study cited, between 20 and 30 percent of the adolescents are also involved in occult practices such as the pendulum, the reading of tarot cards, the moving of glasses, etc. The more accessible the practices are (pendulum, tarot cards), the higher the share of adolescent devotees.⁴⁶⁾ It is questionable whether it is sufficient for an individual to participate once or even several times in such practices to suggest that this individual is committed to occultism, or has an occult view of life, or that occultism is relevant for his/her everyday life.⁴⁷⁾ In 1996, about 1 percent of all adolescents stated that they belonged to occult groups.⁴⁸⁾ According to two studies, approx. 68 percent⁴⁹⁾ and 51 percent⁵⁰⁾, respectively, of the population strongly reject occult groups; in fact, among the various groups that are rejected, occult groups are number

⁴⁴⁾ Cf. Zinser, H.: Zur Verbreitung des Okkultismus “Jugendokkultismus in Ost und West”, Munich 1993; *ibid.*: “Moderner Okkultismus zwischen Glauben und Wissen” in ZMR, 78, 1994.

⁴⁵⁾ Cf. Noelle-Neumann, E./Köcher, R.: Allensbacher Jahrbuch der Demoskopie. 1984–1992, Vol. 9, Munich *inter alia* 1992; Terwey, M.: Zur Situation von Glauben und Kirche im vereinigten Deutschland, in: Information Nr. 30 des Zentralarchivs für empirische Sozialforschung, Cologne 1992, pp. 59–79.

⁴⁶⁾ Cf. Zinser, H., *loc. cit.*; Mischo, J.: Okkultismus bei Jugendlichen. Ergebnisse einer empirischen Untersuchung, Mainz 1991; for an overview, cf. Helsper, W.: Okkultismus – die neue Jugendreligion? Die Symbolik des Todes und des Bösen in der Jugendkultur, Opladen 1992; Streib, H., Entzauberung der Okkultfaszination. Magisches Denken und Handeln in der Adoleszenz als Herausforderung an die praktische Theologie, Kampen 1996.

⁴⁷⁾ Cf. Helsper, W., *loc. cit.*, 1992 und Streib, H., *loc. cit.* 1996.

⁴⁸⁾ Cf. Silbereisen, R. K. et al.: Jungsein in Deutschland. Jugendliche und junge Erwachsene 1991 und 1996, Opladen, 1997.

⁴⁹⁾ *Ibid.*, p. 64 f.

⁵⁰⁾ Cf. Jugendwerk der Dt. Shell (ed.), Jugend 1997, Opladen 1997, p. 365.

four (following football hooligans, right-wing radicals, and skinheads). However, it should be borne in mind that devotees of occultism are usually individualists who do not tend to join any groups.

Practices that are inspired by Satanic rituals represent only a minor portion of the spectrum of “occult” practices. Various studies have shown that – except for pupils in the eastern part of Germany, where involvement in such practices is only about half as high – only a few percent⁵¹⁾ of Germany’s adolescents are actively or passively involved in “black masses”.⁵²⁾ However, it is unclear in this context what the adolescents mean when they refer to “black masses”. It can be assumed that only some of them will actually include Satanic rituals.⁵³⁾

Overall, the horror scenarios presented in the media have clearly been put into perspective by the figures found in studies. Satanic practices, which have been attracting particular attention in the reporting of media, have proven to be relatively rare marginal phenomena.

3.4.2 Modern occultism

Occultism is an ideology which has emerged relatively recently and which is marked by the dichotomy between belief and knowledge, and between religion and science. Since modern occultism from the very beginning smacked of deceit, temptation and fraud, some scientists avoid using this term and instead – following M. Dessoir – initially used the term “parapsychology” and subsequently “extra-sensory perception” (ESP), PSI capabilities (psychokinesis), etc. Despite contrary views held in parapsychology, scientists deny that the natural and emotional phenomena summarised under the term of occultism exist outside the mind world of devotees of occultism and scientists who support them. Since, by definition, such phenomena are not be examined by means of scientifically recognised methods, they are not susceptible to scientific scrutiny. However, the phenomena involved are not occult in and by themselves; they only become occult by being interpreted as such.

The question as to whether so-called occult phenomena have an existence of their own, independently of their devotees, is at the same time an explanation of why many people are devoted to such a system of belief. For these people, occultism represents a psychological or religious reality; in the case of esoteric ideological communities, it may also represent a social reality which – like other systems of belief – determines the individual’s actions and forms a framework

⁵¹⁾ Cf. Streib, H.: Entzauberung der Okkultfaszination, Magisches Denken und Handeln in der Adoleszenz als Herausforderung an die praktische Theologie, Kampen, Niederlande, 1996, p. 9 ff.

⁵²⁾ Cf. Zinser, H.: Jugendokkultismus in Ost und West, Munich 1993.

⁵³⁾ Cf. Streib, H.: Entzauberung der Okkultfaszination, Magisches Denken und Handeln in der Adoleszenz als Herausforderung an die praktische Theologie, Kampen, Netherlands 1996, p. 9 ff.

for the individual's views, beliefs and self-image. Wishes, fears, and phantasies are expressed in the practices and concepts of modern occultism in a way that is found nowhere else in the industrial bureaucratic world that we live in. Some occultists and parapsychologists even think that it is possible to find an answer to the question of human mortality by means of occult and parapsychological experiments.⁵⁴⁾

The current popularity of occultism is probably largely due to the fact that many of the fears, wishes and questions which people have seem to be ignored by the modern sciences, or that people do not recognise themselves in and cannot identify with modern sciences; hence, they try to find reassurance and satisfaction in occult or esoteric concepts and practices – something that they cannot find in social reality, religious doctrines or the arts and sciences.

Devotees of occultism such as esoterics usually do not tend to form any fixed social organisations; occultists are individualists whose social relations amongst themselves usually correspond to the organisational structures of a public or client religion.⁵⁵⁾ However, Satanic groups represent a distinct exception to this general rule.

3.4.3 Modern Satanism

The general appearance and the rituals of Satanic groups cannot be traced back to a single source; instead, their background is a patchwork beginning with studies of texts of black masses of the 17th and 18th century, then moving on to groups with a freemason background, sometimes involving anticlerical parodies, and finally finding its way to Crowley.⁵⁶⁾

For modern ritual Satanism, Aleister Crowley (born on 12 Sept. 1875, died on 1 Dec. 1947) plays a crucial role. Crowley is seen as the “spiritus rector” and the supplier of ideas for a large number of groups and organisations and their rituals.

A key element of Satanism is that, both in its system of belief and in its ritual practice, it is not focused on the figure of Satan, Baphomet, or whatever other name is used. The focus and the primary target is the human being: in other words, the “self-idolisation” of man. The point and purpose of Satanism is to use a ritual system – which primarily consists of sexual magic – in order to promote the recognition of one's own divinity.⁵⁷⁾

⁵⁴⁾ Cf. Driesch, H.: Parapsychologie, 4th edition Frankfurt/Main 1984.

⁵⁵⁾ For more information on public and client organisations, cf. Stark, R. and Bainbridge, S.: “The Future of Religion”, Berkeley 1985, p. 24 ff. and Zinser, H.: “Der Markt der Religionen”, Munich 1997, p. 122 ff.

⁵⁶⁾ For a biography of Aleister Crowley, cf. Dvorak, J.: Satanismus, Geschichte und Gegenwart, Ffm, Eichborn, 1989; Schmidt, J.: Satanismus, Mythos und Wirklichkeit, Marburg, 1992; Symonds, J.: Aleister Crowley, das Tier 666: Leben und Magick, Munich, 1996.

⁵⁷⁾ Cf. Christiansen, I.: Bedeutung und Brisanz von Sekten, Destruktiv-Kulten und Weltanschauungen für Jugendliche in unserer Gesellschaft, Göttingen, 1997, p. 262.

In addition, Satanism provides opportunities for individuals – which are successfully utilised by some – to transform their inferiority complexes into a higher appreciation of themselves (ego upgrade). Hence, one reason why some people with a weak ego turn to Satanism is that they want to have the feeling that they can have power over other people through rites and rituals, that they can live out a latent anger, that they seem to be able to change laws of nature to their own advantage.⁵⁸⁾

As a culture which “transgresses” Christian beliefs and lifestyles, “Satanism” and a Christian religious orientation are not necessarily mutually exclusive. On the contrary: An orientation to the occult seems to be quite compatible with views held by the Churches because a crucial source of Satanic convictions and rituals is the negation of the Christian order – a negation which does not leave the Christian code; instead, it merely reverses the code signs indicating what is “good” and what is “bad”, thereby living out conflicts, hurt feelings and crises in the individual’s life history by identifying with what is coded as being negative in the Christian order. In this context, there is evidence suggesting that an individual’s Christian socialisation (marked by narrow confines, rigidity, a negative attitude toward sensuality, and religious constraints) – either in special Christian communities or in rigorous or traditionalist groups of the major popular Churches, strictly distinguishing between “good” and “bad” systems and powers – may be a background for “Satanic” rebellion and withdrawal as a way of “freeing oneself” from constraints.⁵⁹⁾

This line of thinking according to which Satanic practices appear to be an integral part of a culture of transgression and breaking taboos also helps to explain the proximity of Satanism to “magic sexual practices” and sexual obsessions.⁶⁰⁾ This can easily result in or lead to an affinity and attraction to Satanic concepts on the part of individuals who are prone to breaking sexual taboos and to sexual abuse. While there is evidence to this effect⁶¹⁾, there are not yet any reliable or well-founded findings.

3.4.4 Typologies of Satanism

Satanism research has led to the development of a typology which appears to be a useful tool for systematically categorising various types of Satanism:⁶²⁾

- ritual Satanism (involving the establishment of an order),
- rational Satanism (Satan as a symbol or code),

⁵⁸⁾ Ibid., p. 263.

⁵⁹⁾ Cf. Klosinski, G.: *Psychokulte. Was Sekten für Jugendliche so attraktiv macht*, Munich 1996; Helsper, W., loc. cit. 1992; Streib, H.: *Teufelsbeschwörung und Jesus-Zauberspruch – magische Handlungen mit heilender Kraft?*, in: Heimbrock, H. G./Streib, H. (ed.): *Magie – Katastrophenreligion und Kritik des Glaubens*, Kampen/Weinheim 1994 as well as loc. cit. 1996.

⁶⁰⁾ Cf. Introvigne, M./Türk, E.: *Satanismus*, Paderborn 1995.

⁶¹⁾ Cf. Fröhling, U.: *“Vater unser in der Hölle“*, Seelze-Velber, 1996.

⁶²⁾ Cf. Introvigne, M.: *Auf den Spuren des Satanismus*, EZW 5/92, pp. 161–178, EZW 7/92, pp. 193–202.

- traditional occult Satanism (Satan is God's antagonist),
- acid Satanism (sadistic, orgiastic and drug-consuming groups),
- Luciferism (Satan and Lucifer as objects of worship).

In parallel with this typology as used in religious studies, there are also groups and cults with Satanic tendencies; however, their classification criteria have to be derived from their psychosocial and social environment:

1. **Psychotic Satanism.** This genre tends to be typical of individuals that can be described as "loners". They practice rituals only alone or in small groups. It cannot be ruled out that such individuals are susceptible to committing crimes motivated by "delusions" (cf. Chapter 3.5.3, psychotic episode).
2. **Marketed Satanism.** This is a scene which makes commercial use of Satanism. By means of newspaper advertisements, or probably more often by means of word-of-mouth propaganda, interested groups are informed about black masses where – sometimes for horrendous sums of money – they can live out the most perverse inclinations which may involve sado-masochistic practices.

The form of Satanism which is probably most well-known to outside world is **youth-centred Satanism**. This type of Satanism is not genuine Satanism in the strict sense of the term. Instead, it is more of a youth subculture which wants to offset itself from the adult world. There is a large number of different forms and varieties, including individuals purloining "Satanic quotations" to develop their own adolescent style; some who are fascinated with symbolism of evil; others who are leaning towards Satanic ideas; and yet again others who practise Satanic models. In this context, phantasies of sexualised violence and their enactment do play a role. However, it is not clear yet whether this latter variant is of any major relevance in the field of youth subcultures.

3.4.5 Examples of problematic practices and rituals in Satanism

Arcane discipline (AD)

Each Satanic organisation (cult), group, lodge or order cultivates or protects its "arcane discipline" (AD). Initiated members are forbidden – often under threat of martial punishment (such as torture, rape, death, etc.) – to disclose any information to outsiders regarding the infrastructure and the level of organisation of their group, lodge or order. Nor are they allowed to talk about different levels of initiation or any details of rituals or other practices. In addition, the initiation ritual binds members to their organisation for the rest of their lives. The way the groups, lodges or orders see it, their members do not have the choice to leave the organisation – unless the organisation is disbanded or the "initiated" dies. Members who want to leave the organisation are told in no uncertain terms, using both psychological and physical means, that the organisation is

firmly determined not to let them go that easily. One dropout, for instance, reported that the leader of his group tried to dissuade him from leaving the group by means of bodyguards and by threatening physical violence (“... the only way to leave is to leave forever ...!”). Dropouts are exposed to permanent, primarily physical pressure. They receive parcels with half-decayed black cats and cocks; or ex-members find dead rats, for instance, arranged in the form of a pentacle in front of their doorstep. In this context, it is irrelevant whether the cult involved is devoted to vulgar “traditional Satanism” (i.e. it does not have a very pronounced system of rituals), or whether the group is composed of academically educated intellectuals who are devoted to “rationalist Satanism”.⁶³⁾

There are several reasons why such “pressuring mechanisms” work; one has to do with the belief in magic of the individuals involved; another one is that most members are aware of the fact that the rituals or other practices performed by the group often involve criminal offences which are bound to be prosecuted by police and public prosecutors, once they become known. In addition to mentioning ideological reasons, ex-Satanists also give economic reasons to explain why their organisations were so adamant and relentless in punishing any violation of the AD and the often associated exit of those who “violated the AD”. Everyone who leaves the organisation proves with his behaviour that the premises claimed in “traditional occult Satanism” are wrong: Satan does not have “omnipotence” throughout the world; and he is not the “Prince (Ruler) of this world”; and hence, an individual can change his ideological trappings with impunity. If a Satanic group, lodge or order accepts such a step, the Satanic cult concerned will be doomed. In addition, it is by all means also in the economic interest of Satanic organisations to ensure that the involvement of their members is irreversible. This will also guarantee future revenues from a variety of activities including compulsory prostitution of female members, drug trafficking, handling of stolen goods, and extorting “voluntary payments of money”.⁶⁴⁾

“Black masses”

The black mass is one of the rituals practised by each and every Satanic group. The black mass is a reversal of the Christian rite, or to be more precise: the Roman Catholic mass. The necessary utensils include black cloth, paraments and insignia, missals, symbols such as the pentacle, the reversed cross and the number 666, as well as black candles and an altar. However, there is no general pattern for the way in which a black mass is held. According to dropouts, brutal and sadistic variants are not uncommon. According to reports from directors of counselling centres, such masses have involved animal sacrifices, physical injuries to human beings (cuts in the arm or in the genital region, broken bones), ritual rapes (often committed by all the male members of the group), and torture under the guise of pain training. Being able to bear pain is seen by the cult as

⁶³⁾ Cf. Christiansen, I.: loc. cit., p. 292.

⁶⁴⁾ Ibid., pp. 292–293.

evidence of Satanic progress. According to reports from dropouts, Satanists are tortured, and they torture others. Love is to be transformed into hatred, and the more successfully this is achieved by a disciple, the less likely he is to suffer torture himself. In addition to manipulative techniques (ranging from autosuggestion to trance work), alcohol and drugs are taken for granted as instruments to influence the individuals involved so that they can reach certain conditions of consciousness during rituals. One female disciple pointed out: "Without being high (she means on heroin), you couldn't have taken all that!"⁶⁵⁾

3.4.6 Areas of conflict

The Enquete Commission has not been able to obtain reliable information on the question as to whether there are organisations with permanently established structures which deal with Satanic practices. So, this question has to remain open.

A phenomenon which is visible in society, and hence problematic, is the so-called youth-centred Satanism. However, many of the groups which fall into this category usually form spontaneously, and there is no guarantee how long they will last. The rituals practised by these groups are not systematised or fixed; in some cases, the rituals are modelled after sources in literature, magazines or TV programmes of all sorts. Nevertheless, it cannot be ruled out that adolescents and young adults are also involved in organisations with fixed structures. More often than not, membership in Satanic groups leads to dependence, anxiety and obsession syndromes, and to medically diagnosed psychotic episodes. For some, the concept/idea and the belief that they cannot leave their organisation because they are privy to its arcane secrets – in conjunction with their fear of being brought back into the group – makes suicide appear to be the only way out. The counselling and information centres working in this area are familiar with such cases.

If one compiles the views expressed by experts on this topic, as well as the results of relevant empirical studies, there is a consensus to the effect that the so-called youth-centred Satanism tends to be a marginal phenomenon. Reports about incidents where churches and cemeteries were desecrated and parties were celebrated at cemeteries,⁶⁶⁾ etc. can often not be clearly ascribed to Satanism; instead, they tend to be a variant of aggressive adolescent behaviour in connection with vandalism. The adolescents express their protest by breaking taboos, while at the same time turning symbols of the rulers upside down. The Satanic symbolism used in this context is just embellishment. Other reasons why adolescents participate in such activities include not only boredom, the search for something exciting, for intensive experiences and the ultimate thrill

⁶⁵⁾ Cammans, H. M.: Satanismus in der Beratung, in: Friemel, F. G., Schneider, F. (ed.): Ich bin ein Kind der Hölle, Leipzig, 1996, p. 37.

⁶⁶⁾ Cf. auch Ruppert, H.-J.: Satanismus, EZW 140, Berlin, 1998.

but also the possibility to act out scenes of oneself. When adolescents perform Satanic practices, other causes are also involved to some extent: the fact that adolescents do not see any perspective for themselves in our society; the fact that the individual's life is determined by others, and hence, the fact that the individual has no community attachment. In addition, if one studies the biographies of drop-outs, personal and family-related problems usually also play a major role.⁶⁷⁾

The key point to remember is that while organised forms of occultism continue to be a marginal phenomenon, occult concepts and practices erode fundamental principles of our society, such as the individual's free choice of how to live his or her life, and the fact that the individual is responsible for his/her own life. In addition, some of the occult views are linked with right-wing radical and neo-fascist concepts.⁶⁸⁾

As regards the criminal offences which may be committed in this context, the Enquete Commission has requested relevant information from Germany's state-level Offices of Criminal Investigation and from the Federal Office of Criminal Investigation. Except for isolated cases, this has not produced any concrete findings about any criminal offences committed jointly by individuals who are members of such groups. As far as these official findings are concerned, it should be pointed out, however, that most of Germany's state-level Offices of Criminal Investigation do not cover criminal offences with an occult or Satanic background as a separate crime category. The only exceptions to this rule are the State of Lower Saxony and the State of Brandenburg. The State of Berlin has established an information exchange and collection centre on the topic of "so-called sects", and crimes with a ritual background are subject to compulsory notification. The Free State of Saxony collects data on crimes committed against Church institutions, with special consideration given to "Satanic" groups of perpetrators. In a special report of 1995 on the topic of "Occultism/Satanism", the Criminal Office of Investigation of the State of North-Rhine Westphalia came to the conclusion that Satanism was more of a qualitative than a quantitative problem, and that it had not been possible to verify evidence of isolated serious criminal offences. However, the report pointed out that there was an increase in the number of offences to be ascribed to youth-centred Satanism. While the Criminal Office of Investigation did not see any immediate need for action, it recommended that the activities and currents in this environment should be monitored with special care. The criminal offences that are on record include bodily injuries, coercion, disturbing the peace of the dead, malicious damage to (public) property, arson, violations of the Narcotics Act, violations of the Animal Protection Act, as well as rape and sexual coercion. In many cases, however, it is not possible to find out whether these offences can be unequivocally ascribed to occult or Satanic beliefs or groups. A search in the data base

⁶⁷⁾ Cf. Billerbeck, L./Nordhausen, F.: *Satanskinder. Der Mordfall Sandro B.*, Munich, 1997.

⁶⁸⁾ Cf. Eschebach, I./Thye, E.: *Die Religion der Rechten. Völkische Religionsgemeinschaften, Aktualität und Geschichte*, Dortmund 1995.

of the criminal police in North-Rhine Westphalia with regard to the above-mentioned crimes committed in connection with occultism/Satanism did not produce any relevant data.

However, as in the case of other criminal offences which are connected with conflict-prone new religious and ideological communities and psychogroups, the findings obtained by the investigating authorities are sketchy.

3.5 The psychomarket

Alternative therapies in the field of esoterics, the so-called “New Age” movement, and life-counselling services provided by new religious and ideological communities and psychogroups have been enormously popular in recent years. Between seven and ten percent of all new publications in the book market fall into the category of “New Age” and “esoterics”.⁶⁹⁾

This has led to the development of a “psychomarket” offering a plethora of healing methods in Germany, too. New Age therapies, which have become market-oriented and commercially organised by now, have evolved from the “psycho-boom” in the 1970s and 1980s, combining elements of occidental psychotherapy and oriental religion and esoterics. The methods available make a wide variety of promises including the healing of specific symptoms, personality development, helping individuals find meaning in their lives, and spiritual growth; most of these methods are embedded in the system of ideas of the “New Age philosophy”, whose coherence and religious character are the subject of controversial debate in literature.⁷⁰⁾

However, there are also numerous organised closed communities which are active in this market, in particular: esoteric groups, faith-healer communities, and new revelationists with a large number of experience-oriented and healing programmes; communities of Asian origin which offer experience, meditation and healing programmes; so-called psychogroups with personality development courses, so-called success courses based on alternative psychotherapy, etc. The so-called “classical sects” as well as political groups are not active in this market.

⁶⁹⁾ Cf. Gross, W.: Was eine alternativ-spirituelle Gruppe zur Sekte macht: Kriterien zur Beurteilung von Destruktiven Kulturen, p. 29, *ibid.* (ed.), Psychomarkt – Sekten – Destruktive Kulte, Bonn 1994, pp. 27–50.

⁷⁰⁾ Cf. Stenger, H.: Der “okkulte” Alltag – Beschreibungen und wissenssoziologische Deutungen des “New Age”, in: Zeitschrift für Soziologie 18 (2, 1989), pp. 119–135, Bochinger, Ch.: ‘New Age’ und moderne Religion. Religionswissenschaftliche Analysen, Gütersloh 1994, Knoblauch, H. A.: Das unsichtbare neue Zeitalter. “New Age”, privatisierte Religion und kultisches Milieu, in: Kölner Zeitschrift für Soziologie und Sozialpsychologie 41 (3, 1989), pp. 504–525 and *ibid.*: “Neues Paradigma” oder “Neues Zeitalter”? Fritjof Capras moralisches Unternehmen und die “New-Age-Bewegung”, pp. 265, in: Religion und Kultur, Sonderband der Kölner Zeitschrift für Soziologie und Sozialpsychologie Opladen 1993, pp. 249–270.

Like the term “psychogroup”, the term “psychomarket” is used to describe the “wide variety of psychological and pseudo-psychological advice available outside professional psychology and outside the public health sector in the fields of life counselling, life orientation, and personality development” (cf. Chapter 2.3)⁷¹⁾; the difference is that advice which is provided by psychogroups to members is available as a commercial service in the psychomarket. These commercial services are available in a variety of ways, including informal activities, print and audio-visual media, books, and lectures, as well as more binding forms such as courses, workshops, seminars, holiday retreats, etc.; and given the right circumstances – i.e. if there is a charismatic leader, a specific group, or a specific doctrine and practise – such commercial services can also lead to group membership, i.e. the establishment of a so-called “psychogroup”. In this context, it is possible to distinguish (in accordance with R. Stark and W.S. Bainbridge) between “audience cults” and “clients cults” on the one hand, and “cult movements” on the other.⁷²⁾

Most of these psycho-services are commercial in nature and designed for “audience cults” and “clients cults”; only very few of them take on the form of a “cult movement” with clearly defined membership boundaries. However, it may well be that “psychogroups” at the same time also pursue commercial activities, i.e. they may be active in the psychomarket (e.g. by organising courses); initially, they may tend to be more loosely structured players in the psychomarket (like Scientology during its early days in California), or they may evolve from a psychogroup to a commercial organisation (like the Bhagwan/Osho movement). Another classification was chosen by B. Grom who distinguished between practical, selective and system esoterics⁷³⁾, thereby describing not only the level of a group’s structured development but also the group’s “position in the life” of interested individuals: With increasing systematisation, there is also an increase in the ideological character and the binding force of a group’s rules on the life of an individual; the less structured a group is, the less binding its rules with regard to the individual’s decisions in life and with regard to services selected.

There are four different sources of the methods applied in the psychomarket:

1. The major esoteric systems of the 19th century (e.g. Spiritualism, theosophy), not least with the themes of the “New Age” and of the incipient “Age of Aquarius”.
2. (Depth) psychology, i.e. C.G. Jung, parts of “humanistic psychology” (A. Maslow et al.), so-called “transpersonal psychology” (St. Grof et al.), as well as body therapies (e.g. Alexander Lowen) and many other psychological or pseudo-psychological traditions. There are two important elements: first of all, the religious interpretation of psychological processes (in this context,

⁷¹⁾ Cf. Hemminger, H./Keden, J.: *Seele aus zweiter Hand. Psychotechniken und Psychokonzerne*, Stuttgart 1997, p. 7.

⁷²⁾ Cf. Stark, R./Bainbridge, W.S.: *The Future of Religion*, Los Angeles 1985.

⁷³⁾ Cf. Grom, B.: *Esoterik*, in: Ruh, U. et al. (ed.), *Handwörterbuch religiöser Gegenwartsfragen*, Freiburg 1986, p. 89ff.

Aldous Huxley and others, who wanted to use drugs to trigger religiously interpreted psychological processes, can be seen as forerunners); and secondly, psychosomatics, i.e. the assumption of an interaction between the mind and the body, due to which psychological processes and associated (religious) experience influence or even control physical processes.

3. Meditation and other consciousness-altering methods from major religions, i.e. methods which are primarily of non-Christian origin, in particular from India and eastern Asia.
4. So-called archaic religions and religiousness, e.g. traditional religious beliefs and practices of indigenous peoples, such as shamanism.

An eclectic approach to the traditions mentioned above is characteristic of the commercially-oriented organisations operating in the psychomarket. Such organisations which are determined by choice are primarily focused on helping individuals to cope with life by means of specific techniques, methods, and therapies. This raises first of all the question of professionalism in all its different facets (qualifications of service providers, validity of services, reference to (psycho)therapy and religion), and secondly the question with regard to the wishes and needs of the “clients” (e.g. problem-coping perspective vs. clarification perspective; see below). Of course, both questions also apply – and in a more intense form – to the so-called “psychogroups”.

3.5.1 Issues and hypotheses

There are no methodologically sound studies on the actual effectiveness of alternative treatments, and there are only very few sound studies on the needs and motivational patterns of the individuals interested in such therapies.

Against the background of this problem, the following key hypotheses were derived from a project entitled “Affinity to alternative therapies and life-counseling services”⁷⁴⁾:

- The primary reason for an affinity to alternative therapies is not primarily the desire to acquire coping strategies but the increased need for clarification⁷⁵⁾ on the part of users.

⁷⁴⁾ This project, which is managed by E.A. Straube and J. Mischo, will probably be completed by March 1999.

⁷⁵⁾ In psychotherapy research, “need for clarification” or “clarification perspective” means the principle of explaining assessments made by the patients themselves with regard to their motives, values and objectives; the purpose of the therapies in this context is to clarify the factors which determine the patients’ perceptions and actions, to establish their orientation in terms of their biographies. In addition to the so-called problem-coping perspective and the so-called relationship perspective, the therapeutic treatment of the clarification perspective is one of three principles which have been shown to be effective in the evaluation of various therapeutic methods. Cf. Grawe, K./ Donati, R./ Bernauer, F.: Psychotherapie im Wandel – Von der Konfession zur Profession, 3rd ed., Göttingen et al. 1994, p. 752.

- Alternative treatments do not satisfy this greater need for clarification; instead, they tend to increase this need and keep the “psychomarket” going.
- Alternative (and spiritually oriented) therapies tend to be focused on global needs, while standard therapies (especially behaviour therapy) tend to emphasise specific problem-solution strategies (problem-coping perspective).

These hypotheses can be translated into the following specific questions:

- What needs and motives are addressed by alternative therapies and counselling services (phase of first contact)?
- What needs are subjectively satisfied or even created in the first place by an individual’s participation in alternative treatments?
- What factors influence an individual’s affinity to alternative life-counselling services?
- How is a given method chosen?
- What positive or negative effects are ascribed by consumers to alternative life-counselling services?
- What connection is there between subjective physical and psychological stress and the methods chosen?
- What connection is there between attitudes towards religion, spiritualism and esoterics on the one hand, and the use of alternative methods on the other?
- What are the general conditions of the alternative therapy setting (providers, duration of therapy, costs, etc.)?
- Are there any differences between users of alternative methods in Germany’s old and new federal states (methods, expenditure, motives)?

3.5.2 Study on the alternative life-counselling market

In order to help clarify the open questions with regard to the alternative life-counselling market, the Enquete Commission awarded a contract for a study which is embedded in a larger project on “Spiritual Experience and Health”. This study is being conducted jointly by the Department of Clinical Diagnosis/ Intervention and Clinical Psychology of the Friedrich Schiller University in Jena and the *Institut für Grenzgebiete der Psychologie* (Institute of Borderline Areas of Psychology) in Freiburg. There has been very little research so far into this so-called psychomarket, so that this undertaking is of a highly exploratory nature.

The fact that organised groups are active in the so-called psychomarket suggests that their services which address needs in customers and spiritual pilgrims are similar to the services of providers which are not organised in closed

communities. For this reason, the findings obtained in a research project which is aimed at identifying the motives and the perception patterns of the clientele of the psychomarket should also make it possible to draw conclusions with regard to the needs of individuals who can be addressed by radical communities providing such services. Questions about attitudes towards religion, spiritualism, and esoterics should provide more information on whether, or not, it is justified to categorise this scene as belonging to the fringe of new religious and ideological communities and psychogroups.

The study summarises the findings obtained in a consumer survey conducted among 219 users of unconventional healing and life-counselling methods from all of Germany, and among 233 providers of these methods operating in the regions of Freiburg and Frankfurt. Hence, this was a sample which was pre-selected by the callers based on their own interest.

3.5.2.1 Consumers

Data collection, sample

Because of the lack of availability of specific studies on this topic, this was an exploratory study which was carried out with semi-standardised telephone interviews.

In order to ensure that – in keeping with the purpose of the study – only individuals who had personally experienced alternative life counselling would participate in the study, press releases with an exact description of the survey were sent to various press agencies, and newspapers, magazines and radio stations were contacted. As a result, 44 newspapers and magazines as well as three radio and two TV stations published reports calling on alternative users to contact the authors of the study. However, it was not possible to influence the exact wording of the press reports. The interviews were conducted between June and December 1997.

The questionnaire consisted of 61 questions. When a respondent mentioned any negative experience with a given method, the remainder of the interview focused on this method; if no negative experience was mentioned, the interviewer asked about the method with which the respondent had gained most experience.

Of the 385 calls which were received, a total of 280 interviews were conducted; 61 individuals were excluded because they only had experience with standard therapy methods, were service providers themselves and had no experience of their own, did not want to talk about it, or had left more than 10 questions unanswered. A total of 219 calls were evaluated, including callers who had attended “personality training courses” in a professional context; these 19 calls were evaluated separately.

The questionnaire covered the following subjects:

- positive and negative experience with alternative methods,
- sources of information for the initial contact,
- setting and cost of the services offered,
- money spent on alternative methods,
- reasons for interest in alternative methods,
- subjective assessment of the effectiveness of the method and the competency of the service provider,
- subjectively perceived changes due to the application of an alternative method,
- information provided by the treating physician,
- awareness of alternative methods,
- simultaneous or earlier psychotherapy,
- the individual's satisfaction with his/her own life,
- psychological stress factors,
- attitudes towards religion, esoterics, and spiritualism,
- sociodemographic characteristics.

Summary of findings

Over 80 percent of the respondents were subjectively satisfied with the alternative life-counselling services they had used, and two-thirds of the respondents were female. Their level of education is above average; the percentage of people among them who have left one of the major Churches is also higher than the national average in the German population; many of them have already undergone psychotherapeutic treatment (51 percent); and they spend approximately DM 2,000 per year on alternative methods. The most frequently mentioned reasons for turning towards alternative methods were: psychological problems (28 percent); physical, functional complaints (22 percent); psychosomatic complaints (22 percent); social problems (14 percent); the desire to change one's own personality and self-experience (14 percent); as well as the search for meaning in life and expanding one's consciousness (13 percent).

In many cases, the decision of individuals to turn to an alternative method is triggered by advice from acquaintances and recommendations from a doctor or a psychologist.

The findings in detail:

Methods covered in the survey

The 200 callers reported on experience with 104 methods, which were grouped in five categories based on functional similarities:

- esoteric healing methods (e.g. Reiki, kinesiology, Bach blossom therapy), unconventional interpretational and occult practices (e.g. astrology, use of pendulum, fortune telling, tarot),
- body and movement therapies (e.g. yoga, qigong, Feldenkrais, bioenergetics),
- unconventional medical methods (e.g. natural healing methods, acupuncture, homoeopathy),
- meditation/spiritual psychological methods (e.g. Zen meditation, chakren work, transcendental meditation),
- established therapeutic methods (e.g. gestalt therapy, autogenic training, neurolinguistic programming).

Sociodemographic data

Sex: Over two-thirds of the callers were women (69 percent); the average age was 45 years (with a range from 16 to 84); their level of education was very high: while only 13 percent left school after completing the lower secondary level, 29.5 percent had completed intermediate secondary school, and 55 percent had completed upper secondary school. There was a high percentage of economically non-active and unemployed persons (25.5 and 13.5 percent, respectively); this was partly due to the high percentage of women. Unfortunately, more detailed data on the occupations and the socio-economic status of the respondents are not available.

Compared with the population average, the percentage of divorced persons was higher, while the percentage of married or widowed individuals was lower. The majority of the respondents lived together with a partner (55.5 percent). Over two-thirds of the partners participated in the alternative method or approved of the respondents' participation (35 and 34.5 percent, respectively).

These data largely concur with findings obtained in other studies, including some international ones. The data collected by Andritzky in a survey conducted among participants of adult education courses tend to contradict these findings.⁷⁶⁾

⁷⁶⁾ Cf. Andritzky, W.: *Alternative Gesundheitskultur. Eine Bestandsaufnahme mit Teilnehmerbefragung* (Forschungsberichte zur transkulturellen Medizin und Psychotherapie, Vol. 4), Berlin, Verlag für Wissenschaft und Bildung, 1997.

Access

Advice from friends or acquaintances is by far the most frequent reason why individuals turn to an alternative method (53.5 percent), followed by recommendations from a doctor or psychotherapist (15 percent), while information from special-interest magazines (3 percent) or advertising by the service providers (1.5 percent) play a much less important role. On the other hand, recommendations from other service providers (11 percent) are somewhat more important.

Most of these recommendations do not refer to a certain method but to a certain therapist.

Causes and motivations

The motives mentioned most frequently in literature⁷⁷⁾ are dissatisfaction or disappointment with regard to orthodox medical / conventional treatments, and the conviction that alternative methods are helpful. Half of the interviewed users of alternative methods had undergone at least one psychotherapeutic treatment in the course of their lives – usually refunded by a statutory health fund – or such treatment was still continuing.

Another set of motives includes the more non-specific desire for change, clarification of a relationship, and “consciousness-raising”. The respondents do not ascribe orthodox medicine any competency with regard to this need for clarification and do not expect orthodox medicine to have such competency.

Subjective satisfaction

Generally speaking, the respondents’ subjective assessment is very positive: 83 percent of the callers reported that their problem had improved. This is also in keeping with findings obtained in international studies. Meditation techniques were given particularly good ratings. This is also a finding which had already been obtained, for instance, in the broadly-based evaluative study conducted by Grawe, Donati, and Bernauer.⁷⁸⁾

Other factors assessed by consumers were described in their comments on the quality of the relationship with the providers of alternative treatment methods. When asked about the personal competency of the service provider, the average rating of users was 1.1, while the average rating given to psychotherapists (which many had consulted before) was only 2.3 (German school marks range from 1 = very good to 6 = inadequate).

The respondents’ average duration of contact with the provider of the alternative treatment is well over one hour, which is much longer than most appointments with doctors. Often, patients have a more enthusiastic, positive attitude towards alternative practitioners.

⁷⁷⁾ Ibid., p. 62.

⁷⁸⁾ Cf. Grawe, K., Donati, R. and Bernauer, F.: loc. cit.

According to an older secondary analysis, alternative practitioners are believed to be more patient-focused.⁷⁹⁾

Attitudes towards religiousness

When asked whether they belonged to any religious community, 51.5 percent of the respondents said that they did not belong to any such community, 35 percent mentioned the Protestant Church and 10.5 percent mentioned the Catholic Church. Some 40 percent said that they had left a religious community in the course of their lives; 24 percent stated that they once were a member of the Protestant Church, and 14.5 percent said that they once belonged to the Catholic Church. However, the fact that these people have left traditional forms of religion does not mean that they are disinterested in religious matters: When asked about their attitudes towards religion, 62 percent of the respondents described themselves as “religious” or “spiritual”, while 12.5 percent referred to themselves as “esoterics” and 12 percent as “atheists”.

When asked about major influences on their current world view, 43 percent of the respondents mention Christianity, 29.5 percent Buddhism, 13 percent Hinduism, 8 percent Judaism, and 7 percent Islam. The differences between the former West Germany and the former East Germany are substantial: 55 percent of the respondents in the western part of the country but only 26 percent of the respondents in the eastern part mentioned Christianity as having a major influence; and while 41 percent of the respondents in the west mentioned Buddhism, only 12 percent did so in the east.

A study conducted on the alternative health culture⁸⁰⁾ came to the conclusion that, while general interest is the most frequently mentioned motive for attending courses, individuals select courses with their specific problems in mind, and their health behaviour is generally controlled by relevant systems of ideas.

Qualification of service providers

A glance at the consumers’ ratings of the qualifications of their service providers shows that the formal and the informal health sectors overlap. According to the callers, 20 percent of the practitioners they consulted were doctors, approximately 12 percent were psychologists and 15 percent were non-medical practitioners. The majority of the treatment providers (roughly 54 percent) did not belong to any of these three groups.

Costs

The study showed that the individuals interviewed spent an average of DM 1,952 per year for the use of alternative therapeutic methods. The highest amounts were spent by users of body therapies (DM 4,650 / DM 93), while the

⁷⁹⁾ Cf. Hewer, W.: The relationship between the alternative practitioner and his patient: A review, in: *Psychotherapy and Psychosomatics* 40 (1983), pp. 170–180.

⁸⁰⁾ Cf. Andritzky, W.: loc. cit., p. 273.

lowest spenders were users of alternative medical methods (DM 1,044 / DM 60); users of esoteric methods (DM 1,523 / DM 111) and of meditative/spiritual methods (DM 2,119 / DM 280) were in between these two extremes. The second figure given in the brackets is the average price per hour.

Users of vocationally oriented personality training courses

Personality training seminars are very popular, not only in the framework of in-company further education and personnel development activities but also among private consumers. Far more than 1,000 providers of such courses are active in the German market.

More than anyone else, managers are increasingly expected to acquire vaguely defined skills such as intuition, empathy, flexibility, and conflict settlement, and the application of these skills is associated with their success. There are hardly any reliable data with regard to the effectiveness and the risks involved in personality-oriented training. According to Micklethwait and Woolridge, the primary purpose of these management techniques is to reduce the feelings of anxiety which exist in the higher management echelons.⁸¹⁾

A small percentage of the callers (19 persons) reported attending occupationally-oriented personality training courses; they were asked about their experience, as well as their motives and the general setting for attending such courses, and they were also asked whether these courses had had any effect or led to any changes.

One-third of these callers had already attended over five seminars. Fifteen of the respondents said that their "experience had been relatively positive", while the others had "mixed feelings" about the seminars or perceived them as being relatively "negative".

For a more detailed assessment, the callers were asked to select one seminar which had left the strongest impression upon them. The findings described below are based on the accounts given by the respondents in this context:

General setting: All the courses described had a minimum duration of two to three days. About two-thirds extended over a period of more than three days. Respondents said that the effectiveness of the seminar was primarily due to the setting in which the seminar was held, involving the absence of amenities, self-catering or the absence of alcohol, cigarettes, telephones and the seclusion of the group. The beauty of the surrounding nature was also mentioned over and over again.

However, the living conditions thus created were also a reason for some people to reject the seminar immediately.

Costs: Participants spent an average of DM 3,000 for the seminars. For about two-thirds of the participants, these costs were born by their companies. Over half of the participants had attended the seminars only because their companies had requested them to do so.

⁸¹⁾ Cf. Micklethwait, J. u. Woolridge A.: The witch doctors. Making sense of the management gurus, New York 1996.

Motives and expectations: Despite the strong involvement of their companies, about three-quarters of the callers said that they had a personal motive for attending the seminar. The reasons given included not only restructuring or re-orientation processes in their companies but also problems with private relationships and personal crises. The presence of a strong need for clarification would have to be studied more closely against the background of the fact that the participants were all middle-aged. In fact, one of the respondents said: "Somehow, they were all in their forties, had achieved everything in their careers, and you had the feeling that they were all somehow looking for meaning". This illustrates this state of mind.

Methods: What is striking is that there was a broad spectrum of methods as well as a combination of various methods. It is hardly possible to classify or categorise the seminars on the basis of certain theoretical schools, as this is done in the field of psychotherapy. The main emphasis is placed on self-experience and group dynamics.

Effects and changes: According to the course participants themselves, they see the strongest effect in a strengthening of their self-confidence based on the confidence in their actions conveyed to them and a more conscious way of dealing with themselves and others. This, in turn, provides a basis for a number consequential changes in terms of the individual's ability to take decisions, cope with conflicts, and pay attention to their employees' concerns. One of the most important effects is that the participants continue to work to improve themselves based on the many ideas they have been given.

3.5.2.2 Providers

Only one segment of the overall market – i.e. the so-called "psycho-scene", which encompasses the scene of the spiritual "New Age" therapies and esoteric activities – was covered by this research project when the providers of therapies and courses were analysed. For this purpose, data were collected and evaluated in Freiburg and Frankfurt. The providers were asked questions on their sociodemographic data, their activities and the general conditions under which they work, their clientele, their methods, and their religious or spiritual attitudes.

The authors of the survey did not write to any of the new religious and ideological communities and psychogroups for information. Such groups rarely try to attract new members openly in the scene. In the questionnaire, however, the various providers were asked whether they were members of, or affiliated with, such a group. The samples, which were obtained at the lowest level, the private organisational level, were analysed to find out whether there was any common identity or any interconnections between the providers with regard to ideological leanings and affiliations.

Data collection

By analysing brochures and advertisements, the authors of the study identified, and sent questionnaires to, some 280 providers in 1996 in the Freiburg region

and approximately 480 providers in 1997 in the Frankfurt region. The rate of returns was close to 40 percent in Freiburg and about 25 percent in Frankfurt. In terms of the results of the analyses of brochures, the two sub-samples proved to be representative as far as the range of methods and the ratio of men and women were concerned. A total of 233 providers participated in the questionnaire study, 111 from Freiburg and 122 from Frankfurt.

Summary of findings

According to this survey, providers on average use a conglomerate of eight or nine methods which in most cases come from a variety of different fields: approximately 80 percent draw on the vast fund of body therapies; about three-quarters work with consciousness-altering methods; while almost half use creative methods, esoteric treatments or esoteric interpretation methods; 20 percent also offer assistance based on extraordinary capabilities of a medium. Cluster analyses enabled the study authors to identify not only one highly eclectic type of provider but also five other types offering a more specific range of methods: esoteric interpretation, alternative healing, body therapy, psychotherapy, or meditative self-experience.

The study also showed that the majority of the providers had left the traditional Churches. The respondents showed an affinity to both old religious traditions and modern spiritual doctrines, without developing a firm commitment to any specific ideology; only rarely is there a concrete reference to gurus such as Osho or Sai Baba. However, there are some common guiding religious/spiritual ideas which can be summarised as follows: the respondents are convinced that there is a higher reality which transcends normal consciousness, and that it is possible to experience this reality by using certain methods.

The findings in detail:

Sociodemographic data

Women accounted for an average share of 67 percent; the average age of the respondents was 43 years. Over half of them lived together with a partner (married or not); 37 percent were married; a relatively large share (26 percent) were divorced; 55 percent had children.

About half of the respondents were graduates of university and other higher education institutions; one-third of them had been trained in a human services occupation: 21 percent had an educational occupation (educators, teachers, remedial and social education workers, social workers); 12 percent had been trained in nursing (nurses for hospitals and old-age people's homes, physiotherapists, sports masseurs); and 4 percent had an academic degree in psychology. Due to the approach adopted by the study authors (collecting advertising pamphlets and advertisements), the share of medical professionals (doctors and academically trained psychologists) was very limited. Another one-third of the respondents had been trained in a commercial occupation; the remainder came from a wide variety of professional backgrounds.

The respondents had been active as providers of alternative methods for an average period of 8.5 years; the minimum was 4 months, and the maximum was 26 years. Close to 60 percent of them worked for an average of 31 hours per month; the remaining 40 percent stated that they worked fewer hours per month, and hence, their work in the psychomarket was probably more of a side-line job. Most of these “part-time providers” spent the rest of their working month in permanent employment.

Overall, half of the respondents used to be salaried employees and 20 percent used to be self-employed; the remainder either used to have other types of employment, or they were unemployed.

Advertising, information, access

Most of the providers in the psychomarket benefit primarily from word-of-mouth propaganda by their clients (92 percent) and from referrals by other providers (72 percent). Over half of the respondents recruited their participants or clients occasionally or frequently from among their acquaintances. Just as many of them establish personal contacts with the participants or clients whom they meet in the course of their work.

However, providers used a wide variety of different channels for advertising their services: 65 percent used notices and brochures in health food shops and book shops; 56 percent used special-interest information magazines published in the regional esoterics scene; and 52 percent used classified ads in general-interest advertising freesheets. National magazines such as “Esotera” or “Connection” played a less important role; only 27 percent of the respondents used such magazines. An equally low percentage of respondents can be found in classified telephone directories (25 percent).

General setting

Over half of the respondents (55 percent) work in their own practice or in a group practice with other providers. About two-thirds (37 percent) use rooms in their own private home; and almost as many (31 percent) rent premises for a short period of time, e.g. for weekend workshops. In addition to using the premises of community colleges (18 percent) and training institutions for non-medical practitioners (11 percent), some providers also hold their courses outdoors. Since the respondents were able to give multiple responses, the percentage sum is over one hundred.

The clientele and their problems

According to the respondents, women account for 73 percent of their clientele, and 45 percent are university graduates or students. The age group between

30 and 40 years accounts for about 40 percent of the clientele; only 20 percent are younger. These figures agree with similar findings obtained in earlier studies.⁸²⁾

In the Frankfurt sample, a more thorough analysis was made of the problems which the clients had: 41 percent of the respondents said that they often had clients who were looking for “new experiences” without having any specific difficulties. 16 percent stated that this was true for all their participants. Apart from that, tenseness, back problems, anxieties, depression and partnership problems were at the very top of the list of problems.

Methods

On average, respondents used seven different methods or techniques in Freiburg and ten in Frankfurt. Roughly three-quarters of the respondents regularly combined the methods they applied during one teaching unit, consultation or treatment. The range of these methods can be sub-divided into seven major categories: body therapies, psychotechnics, esoteric treatments, psychotherapeutic methods, creative methods, esoteric interpretation methods, extra-sensory perception.

Body therapies and psychotechnics (e.g. trance, meditation, imagination) play the most important role; they were used by three-quarters of the respondents, followed by esoteric treatments (e.g. reiki, Bach blossoms, crystal therapy) and psychotherapeutic methods (e.g. gestalt therapy, client-oriented therapy, psychodrama) which were applied by about half of the respondents. Creative methods (e.g. dancing, painting, playing musical instruments) and esoteric interpretation methods (e.g. astrology, tarot) were used somewhat less frequently. About 20 percent of the respondents stated that they used extra-sensory perception (e.g. telepathy, clairvoyance, channelling).

Training and qualification

With regard to the question as to how the respondents acquired their professional skills, there were major differences between the two regions. Relative to Freiburg, on average about twice as many respondents from Frankfurt stated that they had taught themselves. In both regions, the rate of self-education was very high among respondents practising esoteric interpretation methods (between 40 and 60 percent) and extra-sensory perception (between 63 and 77 percent). In Frankfurt, education by private teachers was more common than in Freiburg. In Freiburg, a relatively high percentage of the respondents was trained at institutes.

Over one-third of the respondents in Frankfurt were registered as non-medical practitioners; in Freiburg, no data were collected on this question.

⁸²⁾ Cf. Schneider, M.: Glaubensspielräume. Empirische Untersuchung zur New Age Bewegung, Diss. München 1991, Waßner, R.: Neue religiöse Bewegungen in Deutschland. Ein soziologischer Bericht. EZW-Texte 113, Stuttgart 1991.

Ties to denominations, spiritualism and esoterics

The majority of the respondents had left the Church. Only one-third of the respondents had a Christian denomination (17 percent were Protestant, 14 percent were Catholic); 10 percent said that they were members of other denominations. Hence, a total of 60 percent of the respondents were not formally affiliated with any denomination.

However, it was possible by means of a factor analysis to break down overarching religious affinities or orientations towards traditional models into two groups. The first group included attitudes derived from Buddhism, Taoism, Tantrism, and Shamanism. The second group included attitudes derived from Christianity, Christian mysticism, Judaism and Kabbala. Orientations towards Sufism and different schools of thought in Hinduism could not be clearly ascribed to either of the two groups. However, only about 20 percent of the respondents could be assigned to one of these two groups, while 10 percent stated from the onset that their current view of the world was not influenced by any of the traditional religious beliefs.

According to 83 percent of the respondents, new religious, spiritual or psychological movements were important for their own personal vision of the world. In the regions covered by the survey, respondents stated that they were influenced by the following factors in a variety of combinations:

C.G. Jung (24 percent); Baghwan/Osho (16 percent); anthroposophy (15 percent); transpersonal psychology (12 percent); Sai Baba (11 percent); Krishnamurti, and Wilhelm Reich (5 percent each). Over 150 other factors accounted for less than 5 percent. However, this distribution reflects local particularities; other surveys produced other frequency distributions.

3.5.3 Problems, risks, negative experience

a. Findings of the study

In the course of the study awarded by the Commission, the authors tried to obtain information on any negative experience which consumers had had with the alternative life-counselling market; however, to no avail. Although negative experience was specifically addressed in the advertisements, and although separate telephone lines were dedicated for callers with negative experiences, the only calls received came from journalists, and not from consumers. Renowned social research specialists think that it is certainly possible to obtain negative data in this way. Other telephone surveys (e.g. on the respondents' experience with medical treatment) did reveal negative experience with medical treatment and the treatment by medical personnel, so that the method chosen – i.e. addressing respondents by means of advertisements and interviewing them by telephone – cannot be blamed a priori for the lack of negative reports.

Methodologically, however, interviews of individuals are subject to very narrow limits. Possible consequences for family members or the social environment cannot be adequately identified when using this method. Most of the users said that there was a high level of acceptance of these alternative methods in their social environment; however, there were also calls from family members pointing out that users of such methods had become alienated. Since the questionnaire was designed for users, such comments could not be evaluated.

If one interprets the results of the study, they probably provide more information about the level of acceptance of alternative methods than about the objective effects of such methods, and they illustrate how difficult it is to find a direct cause/effect linkage between these methods and conflicts, or to separate such conflicts from other conflicts.

b. Results of other studies and of a meeting of the Enquete Commission with experts

In other studies, however, attention was drawn to potential risks. The two experts Niebel and Hanewinkel, for instance, pointed out that some meditation methods, when applied over long periods of time, could provoke interventions in brain functions which showed epileptic patterns.⁸³⁾ In patients who are anxious anyway, relaxation could reinforce their feelings of anxiety.⁸⁴⁾

Specific enquiries were made into the dynamics and the effects of so-called “psychotechnics” and their psychoanalytical action factors⁸⁵⁾, which are applied in the context of training and influencing methods aimed at behavioural therapy. These enquiries led to the following findings:

- During or after so-called “psychotraining” sessions, there may be acute disintegrative ego conditions which must be seen in connection with the “continuous exposure in groups” in the course of such training sessions and whose occurrence justifies the diagnostic application of the relatively new term of “temporary acute psychotic disorder” (ICD 10, WHO 1991). However, such extreme effects, which can be extremely destabilising in some cases, are relatively rare.
- The combined application of cognitive/behavioural methods and hypnosuggestion can lead to changes in consciousness involving a dissociation of the ego consciousness and of internal assessment; these effects can last longer than effects which are achieved through simple conditioning.

⁸³⁾ Cf. Niebel, G. u. Hanewinkel, R.: Gefahren und Mißbrauchspotential von Meditationstechniken, unter besonderer Berücksichtigung von Jugendlichen, psychisch labilen und psychisch kranken Menschen, Kiel, 1997, p. 19.

⁸⁴⁾ Ibid., p. 24.

⁸⁵⁾ In the framework of a meeting with medical experts on the topic of “Disease risks due to improper use of hypnosis, trance, and conditioning methods during lay-therapy and group-dynamic sessions”, 14 May 1998.

- After leaving groups practising alternative methods, individuals have been reported to suffer from severe psychological decompensation, which in some cases extends over long periods of time and which is experienced as threatening the individual's subsistence. From the perspective of clinical psychology, such massive crises that affect the individual's self-esteem must be seen as chronified personality changes. This term describes efforts made by the individual to adapt to the environment, which can culminate in the loss of one's own inner values, as well as the loss of one's individual needs and of the perception of one's own body.

In their study on traditionally religious, newly religious, esoteric and non-religious individuals, Zinser, Schwarz and Remus drew attention to the fact that the empirical basis for many of the psychological assumptions made with regard to members and followers of new religious movements or in esoterics was insufficient, and that these assumptions were based on a selection of people who had problems with their new orientation in life and who, for this reason, underwent psychotherapeutic treatment or "dropped out".⁸⁶⁾

Overall, when assessing the literature available, it is important to determine whether publications are scientifically well-founded and objective. In a bibliography on yoga and meditation, for instance, only 210 of the 1,021 publications listed can be described as independent original publications.⁸⁷⁾

3.5.4 Conclusions

In the interest of responsible practice in the fields of medicine, psychology and related areas, there is an urgent need to conduct verifiable studies with an enlarged questionnaire. In this context, particular attention should be paid to the initiating and sustaining motivation and need patterns (especially questions regarding the meaning of life, and the existential need for clarification). Empirical studies should be conducted with the aim of comparing the effectiveness of alternative methods (as subjectively perceived by users and providers) with other medical and psychological methods.

Some of these studies are already under way; the implementation of additional studies is welcomed and recommended by the Enquete Commission (cf. Chapters 5.1.7 and 6.2.9).

As far as unconventional methods are concerned, this means that a more systematic approach should be adopted in dealing with problematic experiences, and thus with the problem areas of methodology, execution, diagnostic and methodological responsibility, as well as quality assurance. The present user sample, for instance, has demonstrated that esoteric-magical methods are pre-

⁸⁶⁾ Cf. Zinser, H., Schwarz, G. u. Remus, B.: Psychologische Aspekte neuer Formen der Religiosität. Report on an empirical study, Tübingen 1997, p. 50f.

⁸⁷⁾ Cf. Unger, C.: Yoga und Meditation – psychologische und psychotherapeutische Aspekte. Eine internationale Bibliographie, Ahrensburg 1995 quoted from Niebel, G. and Hanewinkel, R.: loc. cit., p. 3.

ferred in particular by many users who, according to their own accounts, suffer from severe psychological disorders. The findings obtained in the survey conducted among the service providers suggest that it is at least questionable whether all providers of alternative methods are properly qualified.

With regard to the problems which may be caused by an improper application of alternative methods and by applying such methods to unsuitable groups of clients, the planned legislation on life-counselling activities will provide precautions designed to minimise such problems (see Chapters 5.5.5.3 and 6.2.2.3).

When looking at the informal sector, the institutions of the formal health sector should bear in mind that the motives cited by users of alternative methods include not only the desire to alleviate physical symptoms but also other reasons which – implicitly or explicitly – are associated with personality changes and an expansion of one's consciousness. Academic medicine and psychology as well as other professional curative disciplines should pay greater attention to the patients' needs for "coping with life". This would have consequences for the theory, research and practice in the fields mentioned above; it would have to be ensured that dealing with existential questions and problems that are a concern for many clients will be integrated into professional treatment.

In the alternative sector, there are obviously also different patterns which prevail with regard to the relationship between the treatment provider and the client and with regard to the individual's responsibility for his own health; these different patterns could provide a modernising impetus in the context of increasingly individualised living conditions.⁸⁸⁾

A particularly problematic phenomenon is the eclectic application of mixtures of methods in companies; first of all because such application may involve coercive elements due to the fact that employees are particularly dependent on their employers; and secondly because the very fact that various methods are combined reduces the transparency of the services offered and makes an assessment more difficult, both for company buying agents and for the individual employee who is confronted with such measures.

These structural imbalances can be further aggravated by the tight labour market and current trends towards integrating further education programmes at company level.⁸⁹⁾ These problems have not yet been sufficiently clarified in German labour law.

3.5.5 Suggestions for further research

Many methods have not yet been the subject of scientific research. Some of the alternative methods are not suitable for scientific studies because they do not have a standardised "canon" of methods.

⁸⁸⁾ Cf. for general information: Stenger, H.: loc. cit., p. 130ff.

⁸⁹⁾ Cf. Kühnlein, G.: "Verbetrieblichung" von Weiterbildung als Zukunftstrend? Anmerkungen zum Bedeutungswandel von beruflicher Weiterbildung und Konsequenzen für Bildungsforschung. In: Arbeit 6 (3, 1997), pp. 261-281.

The social, economic and practical health implications of this part of the health sector which is not subject to any legal regulations have not yet been studied because for a long time such studies were hampered by prejudices and professional interests.⁹⁰⁾ For this reason, it is desirable to pay increasing attention to this sector, which obviously does not play a merely secondary role, whether in quantitative or qualitative terms.⁹¹⁾

3.6 Entry pathways and membership histories in new religious and ideological communities and psychogroups; results of the research projects on “Drop-outs, converts, and believers: Contrasting biographical analyses of why individuals join, have a career, and stay in, or leave, religious/ideological contexts or groups”

In its decision to establish the Enquete Commission, the German *Bundestag* gave the Commission the mandate to find out “why individuals become members of so-called sects or psychogroups”. However, it turned out that very little research had been done on this subject in the Federal Republic of Germany. Only very few findings were available with regard to the importance in an individual’s life history of joining new religious and ideological communities and psychogroups, or particular differences in membership histories, or “careers” in such groups and contexts, or the reasons why individuals develop a desire to leave those groups, or the separation processes which can be quite lengthy in some cases, or the question of what happens to individuals after leaving a group. In this context, it should also be mentioned that current approaches to dealing with this subject in research have been given very little consideration so far.⁹²⁾

For this reason, the Enquete Commission awarded contracts for four research projects which were interrelated in terms of the topics they covered⁹³⁾ and which provided information on the subjective importance of the events mentioned above in an individual’s biography. The biographies of individuals who

⁹⁰⁾ Cf. Andritzky, W.: loc. cit., p. 9.

⁹¹⁾ Based on other studies, Hellmeister and Fach point out that alternative methods are used more frequently, that alternative treatment providers are given a very good rating on average, and that the callers’ assessment of the methods applied is mostly positive.

⁹²⁾ See, for instance, Berger, H./Hexel, P.C.: Ursachen und Wirkungen gesellschaftlicher Verweigerung junger Menschen unter besonderer Berücksichtigung der “Jugendreligionen”, Forschungsbericht, Vienna 1981; Kuner, W.: Soziogenese der Mitgliedschaft in drei Neuen Religiösen Bewegungen, Frankfurt 1983; Pölz, W.: Prognosen von drogen- bzw. sektengefährdeten Jugendlichen, Vienna 1981; Rollet, B.: Religiöse Entwicklung und Interesse an Jugendsekten, Vienna 1992.

⁹³⁾ The four projects used the same methodological approach in order to study four different contexts: first-generation radical Christian groups; fundamentalist Christian contexts and organisations; contexts and groups from the Far East; as well as psychogroups and esoterics.

dropped out and others who stayed in the groups were studied in various religious and ideological contexts; types and profiles of the biographies of “stay-ins” were identified; and information was obtained on the question of how the individual’s own actions and their need for finding meaning in and shaping their lives interacted with group activities and structures.

So the question/field to be studied was the broad range of different levels of subjective and socio-cultural importance and meaning ascribed by the individuals concerned to their “immersion” in such contexts and groups. It is only through these assessment processes that these contexts and groups are transformed into important contexts for the individuals. By means of such an interactive perspective, which incorporates patterns of meaning and importance, the individuals become identifiable not only as passive victims of clearly defined “groups of perpetrators” but also as social designers of their own life history and their social interactions. This “contribution of their own” is a particular challenge for any adequate and systematic analysis of potentially dangerous group structures, and has not been sufficiently considered in the past because of the lack of scientifically founded evidence.

The current status of research

There are various ways of approaching the problem of identifying the profile of a career in the context of a given religious or social group, including research into conversion processes, research into causes, and research into case histories. Some of these approaches can be applied to different problem clusters.

There are different notions which can be employed to understand conversion processes.⁹⁴⁾ What they all have in common is the concept of a radical change in an individual’s view of the world or personal identity, associated in some cases with profound effects on the individual’s social environment and his or her ensuing actions in life. Characteristics of such change include the reconstruction of one’s biography to match one’s new guiding principles; the adoption of a new ethical pattern as a basis of one’s future behaviour; the rejection of alternative patterns of behaviour and perspectives; and the adoption of the role of a convert in all social situations.⁹⁵⁾ Such a concept raises the question as to what motivates individuals to change their view of the world so radically. In an attempt to find a biographical explanation of conversion, Wohlrab-Sahr⁹⁶⁾ adopts a functional perspective, asking what the function of conversion is in the biography of an individual. One could also say that he asks what problem in an individual’s biography is resolved by the radical change in that individual’s view of the world. In this context, it is important

⁹⁴⁾ *Inter alia* Kilbourne, B.K./Richardson, J. T.: Paradigm Conflict. Types of Conversion and Conversion Theory, in: Sociological Analysis, 50/1, 1989, pp. 1–21; Rambo, L.: Understanding Religious Conversion, New Haven/London 1993.

⁹⁵⁾ Snow, M./Machalek, R: The Sociology of Conversion, in: Annual Review of Sociology, 1984, 10, pp. 167–190.

⁹⁶⁾ Cf. Wohlrab-Sahr, M.: Konversion zum Islam als Implementation von Geschlechtslehre, in: Zeitschrift für Soziologie, 1996, 25/1, pp. 19–37.

to emphasise quite strongly that this problem in the life of an individual is not always perceived as such by the individual concerned. In addition, religious contexts are not the only important factor involved when individuals solve their problems by means of conversion. Other, non-religious ways of finding meaning in life and coping with life can also be involved.

When assessing conversion accounts for the purpose of analysing conversion processes and conversion causes, it must be borne in mind that each of these accounts on an individual's life is retrospective in nature, and that if one assumed that biographical conversion accounts were completely dependent on an individual's context, then it would be generally impossible to subject such accounts to a scientific biographical analysis.

Aside from this, current conversion research suggests that any change in an individual's view of the world leads to a radical change in the self-perception of that individual, and hence, a major change in that person's biographical profile. This blocks and obliterates any consideration of alternative profiles.

With regard to the research into causes, there are two approaches: one emphasises the individual's disposition, and the other focuses on group structures and methods of manipulation.

At the level of the individual's disposition, isolated biographical variables or aspects of an individual's personality structure are seen as reasons. Problematic socialisation conditions in the family⁹⁷⁾ in conjunction with ruptured or disturbed social relationships during childhood and puberty⁹⁸⁾ can lead to identity problems, and to communication and relationship problems, which the individual tries to resolve by turning towards alternative promises of meaning and therapy, or by means of a religiously biased restoration of the original family and the associated development of emotional ties within a group. Various authors have emphasised the important role which specific tensions and demands during adolescence can play as a potential cause. Others have drawn attention to the lack of meaning and orientation⁹⁹⁾, pessimistic expectations with regard to the future¹⁰⁰⁾, crises due to greater social mobility with frequent passages of status especially during adolescence¹⁰¹⁾; and yet others have emphasised the individual's alienation from the political, social and cultural structures of society¹⁰²⁾, and the disappointment about, and the turning away from the established

⁹⁷⁾ Cf. inter alia Kuner, 1983, loc. cit.

⁹⁸⁾ Cf. inter alia Barker, E.: *The Making of a Moonie. Choice or Brainwashing*, Oxford 1984; Berger/Hexel 1981, loc. cit.; Klosinski, G.: *Psychokulte. Was Sekten für Jugendliche so attraktiv macht*, Munich 1996.

⁹⁹⁾ Cf. inter alia Berger/Hexel 1981, loc. cit.

¹⁰⁰⁾ Cf. inter alia Barker 1984, loc. cit.

¹⁰¹⁾ Cf. inter alia Schibilsky, M.: *Religiöse Erfahrung und Interaktion. Die Lebenswelt jugendlicher Randgruppen*, Stuttgart 1976.

¹⁰²⁾ Cf. inter alia Barker 1984, loc. cit.; Kuner 1983, loc. cit.; Schmidtchen, G.: *Wie weit ist der Weg nach Deutschland? Sozialpsychologie der Jugend in der postsozialistischen Welt*, Opladen 1997.

Churches. Psychosocial crises of a professional or private nature, as well as susceptibility to depression or acute tensions in an individual's every-day life prior to joining an alternative group have also been cited as causes.

However, all of the variables mentioned above can only map non-specific cause/effect relationships. They cannot explain an individual's specific choice or fit of a given option offered by religious or ideological groupings or life-counselling agents. Hence, it remains unclear why only very few individuals who have the disposing factors or personality features outlined above or who are in the midst of the crisis-ridden phases in their lives as described above, actually join such groups; while others who share the same characteristics remain within their conventional life pattern or choose other ways of coping with their problems.¹⁰³⁾

Characteristics that are specific to certain groups and manipulation methods have also been discussed as factors leading individuals to join groups. According to such views, prospective members of "destructive cults"¹⁰⁴⁾ are seen as "victims" of various manipulation methods, some of which are associated with fraudulent cover-up attempts on the part of a group. What all theories have in common is that they primarily try to explain an individual's decision to join a group through influencing methods used by, and the totalitarian structure prevailing in, the group. In the scientific debate, both the methodology and the substance of these studies, whose results are often summarised under the catchword "brainwash theory", have been criticised, and some of their findings have been proven to be wrong. Generally speaking, it is questionable whether it is possible to apply a model – which was originally developed in studies on prisoners of war – to "so-called sects and psychogroups". It is hard to provide any empirical proof for the effects described above, and it is equally hard to establish an unequivocal causal relationship with group membership. Studies which suggest that there is such a relationship suffer from fundamental methodological deficiencies. In view of the absolute number of group members, stagnating membership growth, and the high number of people leaving groups¹⁰⁵⁾, the alleged risks described are ultimately not very convincing.¹⁰⁶⁾

Research into case histories is devoted to identifying and describing the case histories of individuals as they turn to, join and eventually leave a given group. With regard to the process that attracts individuals to a given group, it is import-

¹⁰³⁾ Cf. Stark, R./Bainbridge, W. S.: *The Future of Religion: Secularization, Revival and Cult Formation*, Berkeley 1986.

¹⁰⁴⁾ Cf. Clark, J.: *Der künstlich gesteuerte Wahnsinn*, in: Müller-Küppers, M./Specht, F. (ed.): *Neue Jugendreligionen*, Göttingen 1979; Singer, M. T.: *Coercive Persuasion und die Probleme der Ex-Cult Members*, in: Müller-Küppers, M./Specht, F. (ed.): *Neue Jugendreligionen*, Göttingen 1979.

¹⁰⁵⁾ Cf. Levine, S.: *Radical Departures: Desperate Detours to Growing Up*, San Diego 1984; Wright, S. A.: *Leaving Cults: The Dynamics of Defection*, Washington 1987.

¹⁰⁶⁾ Cf. as a summary Barker 1984, loc. cit.; Barker, E.: *New Religious Movements. A Practical Introduction*, London 1992; Wiesberger, F.: *Bausteine zu einer soziologischen Theorie der Konversion. Soziokulturelle, interaktive und biographische Determinanten religiöser Konversionsprozesse*, Berlin 1990, pp. 49-61.

ant to examine how prospective members or participants first come into contact with a given group and what type of contact successfully leads to the recruitment of new members for the group. It should also be examined what type of contact has the most favourable impact on the new member in terms of that individual's own expectations and its subsequent biographical profile. In this context, the groups' recruitment efforts are as important as the searching efforts or interests of prospective members or participants. For many authors, however, it seems to be easier to have access to the groups' strategies and actions, so that they currently feel that the key to understanding the lead-in processes is "structural availability", i.e. physical, temporal, social and ideological conditions that facilitate contact.¹⁰⁷⁾ An individual's social relationships are a particularly important condition for the stabilisation of that person's membership. In literature, only very few attempts have been made or models proposed to explain why individuals leave their group.¹⁰⁸⁾ According to these explanations, the beginning of the alienation process is marked by general or situational crises of legitimacy which put into question the plausibility of the doctrine, the leader, or the group structure. Such crises and frustrated expectations with regard to the individual's development or the development of society lead to a phase of uncertainty during which the sceptics can no longer ignore new experience which conflicts with their expectations. If their doubts are compounded by crises which they experience, they begin to question their membership and to search for alternatives. However, the actual act of leaving the group is usually triggered by one key event. This is followed by a phase during which the ex-members are "floating" between the two worlds of symbolism, finally leading to a phase of social and cognitive reorganisation. The process models described provide isolated insights into the entry, adaptation and membership phases, and into the estrangement process. However, they do not combine these findings with the motivational or dispositional biographical dimensions of these processes; nor do they say very much about biographical consequences and coping mechanisms.

Finally, there are also authors who feel that the trend towards searching for new ways of finding meaning in life and coping with life is due to processes of change in society. They contend that these change processes allow conclusions to be drawn with regard to the conditions for the emergence, and the functions, of "so-called sects and psychogroups" in modern Western societies.¹⁰⁹⁾ For

¹⁰⁷⁾ Snow, D. et al.: Social Networks and Social Movement: A Microstructural Approach to Different Recruitment, in: American Sociological Review, 1980, pp. 787-801; Stark/Bainbridge 1986, loc. cit.

¹⁰⁸⁾ Cf. *inter alia* Balch, R.: When the Light goes out, Darkness Comes: A Study of Defection from a Totalitarianistic Cult, in: Stark, R. (ed.): Religious Movements: Genesis, Exodus and Numbers, New York 1985, pp. 263-283; Galanter, M.: Cults. Faith, Healing and Coercion, Oxford 1989, Wright 1987, loc. cit.

¹⁰⁹⁾ Cf. Waßner, R.: Neue Religiöse Bewegungen in Deutschland. Ein soziologischer Bericht, EZW-Texte No. 113, Stuttgart 1991; Eiben, J.: Zur gesellschaftlichen Bedingtheit von alternativer Religiosität und Lebenshilfe; Gross, W. (ed.): Psychomarkt-Sekten-Destruktive Kulte, Bonn 1996.

methodological reasons, however, they are not willing or able to answer the question as to why individuals decide – under specific circumstances in their life and/or as a result of specific biographies – to join specific groups, while others who are in a comparable situation make completely different choices in their lives.

Methodology

In order to attain such an ambitious research objective, it is necessary to apply a suitable method. All four research projects are interview studies, use narrative interviews and basically apply the methodology of qualitative biographical social research, which can be characterised as follows: Qualitative biographical social research follows a different research logic and applies different methodological principles than quantitative social research and public opinion research. It does not see society as universe which can be observed and measured from outside on the basis of methodological rules; instead, it sees society as a “communicative sphere” which, *inter alia*, is formed and modified by permanent interpretations of the members of society. For this reason, it is not possible in qualitative biographical social research from the outset to determine the characteristics of interest in a given subject; the characteristics of the subject under review are not defined prior to the collection of data (by means of operationalisation, etc.); instead, the research process is kept open for as long as possible, waiting for what the subject itself “says”. Qualitative biographical social research tries to “nestle up” to the communicative character of social life by using data collection instruments which are as close as possible to the customs in social life. The collection of data by means of narrative interviews fulfils this requirement. The purpose of this method is to ensure that the experiences and the interpretations of the respondents can be expressed, where possible, without any theoretical bias from the interviewer and without any bias due to categories specified in a questionnaire or in an interview handbook.

In qualitative biographical social research, the subject under review is not perceived as the sum of a number of cases in which statistical methods can be applied to search for constellations of characteristics; instead, each case is seen as an expression of and a carrier in society; each case is treated as a representative of society and is seen as providing information on the latter. For this reason, qualitative biographical social research is not interested in any proportional data (percentages, etc.); it does not apply any conclusions drawn from a sample to the entire universe (statistical inference); instead, it sees the characteristics and structures identified in cases as providing information on society.

However, this information provided by specific cases is relevant because it is possible to identify a structure in each individual case and, more importantly, because it is possible to identify a dimension in several cases; by means of this dimension, it is possible to organise the cases in the form of a typology from which contrasting types of cases can be abstracted. The result of qualitative

biographical social research is then such a classification or typology, which maps the different variants as a mosaic or repertoire of possible attributes of the process or the constellation of theoretical interest. This typology is the theory developed on the basis of the cases with regard to the envisaged process or constellation – the theory which has been the purpose of this research. Since such a theory applies only to the subject or the social process under review, its scope is much more limited than that of “macrotheories” commonly used in social science or of medium-scope theorems; however, its advantage is that it is an empirically based theory, i.e. a “grounded” theory.

The findings in brief

The result of the four studies described above is not the identification of typical “careers in sects” or “sect-prone dispositions”; instead, the result produced by these studies is the variety or variance of biographical case structures which can then be classified in a typology. It is not possible to identify specific socialisation variables or certain typical biographical constellations as the sole causes or determinants for an individual to be interested in and turn to certain contexts or groups. Instead, a lot of chance/coincidence is involved when individuals turn towards certain contexts or groups.

However, a biographical relevance was demonstrated for individuals turning to such contexts and groups. In all the cases analysed, it was possible to identify problem complexes – so-called “life themes” – which the individuals had encountered in the course of their lives: a cluster of practical life issues and challenges which the individuals tried to come to grips with in a variety of contexts, in some cases consecutively. With regard to the groups and contexts studied, it was possible to identify a connection in the respondents between their life themes and the specific group context through which these life themes can be tackled. The life themes generate pressure for change, and the individuals concerned usually continue working on these themes until they find a satisfactory solution or “fit”.

According to these findings, the most clear-cut lines of contrast were therefore not found between “drop-outs” and “stay-ins”. In fact, this contrast was not very revealing, especially with regard to groups which do not tend to be very closed to the outside world and whose members are not highly organised (e.g. in particular esoteric contexts and psychogroups). Hence, the overall findings revealed neither the typical entry process nor the typical exit process. For an analysis of the biographical interviews, it was too simple to distinguish merely between “stay-ins” and “drop-outs”; instead, it was necessary to look for more differentiated concepts.

A much more meaningful contrast than the one between “drop-outs” and “stay-ins” is the contrast between various biographical consequences, between various ways and various results of individuals working on their life themes. Whether an individual stays in a given context or group for a longer period of

time, or whether he or she changes or leaves this context or group again, depends on the “suitable” ways used by, and the options available to, individuals working on their life themes. The question as to how individuals work on their problems and life themes is therefore less influenced by the nature of the contexts and groups involved than by the fit between individuals and the groups. Hence, the question as to whether turning to a group and having a “career” in this group will aggravate the individual’s problems or whether it will be beneficial and solve the problems (and if so, to what extent) will also largely depend on the degree of the fit between the group’s profile and the individual’s disposition towards a given problem. What happens to individuals in such contexts obviously depends not only on the context or group involved but also – and more importantly – on the resources and the scope for action which an individual commands when joining a religious group or esoteric context. However, the studies can certainly not provide any “objective” information on the groups involved; instead, such information is always provided from the perspective of the respondents. Based on the overall findings obtained from the biographical interviews, it does not make sense to speak of “sects”. Nor is it reasonable to describe a given group as being generally “radical” or “dangerous”.

In view of the imponderabilities in terms of the fit, scope for action and biographical consequences, the biographical connections and life themes identified in some of the cases analysed suggested that there was a need for resocialisation and counselling on the part of the individuals concerned. In addition, it became clear that such counselling should not be primarily aimed at helping individuals leave a given group. If – contrary to a widely held belief – there is no such thing as a typical exit process, there can also be no typical counselling for individuals who want to leave a given group. Instead, counselling must be focused on biographical patterns, the individual’s personality development and personality structure and the individual’s problem constellations.

The issues discussed in this Chapter are of particular relevance for the overall debate. For this reason, the Enquete Commission awarded the contracts for the research projects mentioned above. In order to underline the relevance of these issues, the findings of these studies are included in the Annex to this Report.

3.7 Social and psychological effects of membership in new religious and ideological communities and psychogroups

When studying social phenomena, it is common practice to discuss not only the problematic aspects but also the unproblematic aspects of new religious and ideological communities and psychogroups.

Without any doubt, the conflict potential associated with some new religious and ideological communities and psychogroups is one of the negative aspects.

On the positive side, however, attention is drawn to the fact that membership in such groups provides social reference fields for some people who would otherwise have to do without such anchorage in their lives.

These aspects are being debated in international scientific literature. For this reason, the Enquete Commission decided not to have a separate complex empirical study conducted on this issue but to award a contract for an expert report designed to analyse literature on the question of the social and psychological effects of membership in new religious movements.

The major findings of this study are presented below.¹¹⁰⁾

The Commission's interest in this area was focused on the following primary/key question: "What psychological and social effects does membership in new religious movements have on individuals?"

The author of the study states that the methodology applied in the study submitted to the Enquete Commission was aimed at analysing from a psychological perspective the international literature available, primarily from Anglo-American sources. The author points out that the analysis is based on data base searches and bibliographies, in particular review articles, meta-analyses, quantitative empirical studies and major qualitative studies (however, no case studies or reports by drop-outs because such publications would not be sufficiently representative and would not provide enough scope). In this context, the author draws attention to the fact that further research is needed to apply the findings of his analysis of international literature to the conditions prevailing in Germany.¹¹¹⁾

As far as recruitment is concerned, the author points out that this is not a passive event; instead, the recruit is actively involved in the conversion process.

Overall, the author states that it is possible from the perspective of religious psychology to interpret the joining of a religious movement as conversion. He points out, however, that not every individual is open or receptive to the offers made by new religious movements. In many cases, individuals join such movements after a period of emotional instability and lack of orientation. According to the author, there is evidence suggesting that there is a higher share of premorbid personalities among members of new religious movements. He points out, however, that such individuals often seem to become more stable psychologically and socially as a result of their membership.

Individuals seem to be particularly susceptible to joining new religious movements during adolescence while middle-aged individuals seem to be less susceptible; however, this may vary from one group to another. Hence, the author

¹¹⁰⁾ Dipl.-Psych. Dr. Sebastian Murken, "Soziale und psychische Auswirkungen der Mitgliedschaft in neuen religiösen Bewegungen unter besonderer Berücksichtigung der sozialen Integration und psychischen Gesundheit", study conducted on behalf of the German *Bundestag*, Enquete Commission on "So-called Sects and Psychogroups", January 1998.

¹¹¹⁾ Loc. cit., p. 6.

concludes that there is no such thing as a consistent “sect member personality”. For this reason, he feels that the notion of a single concept of new religious movements must be discarded.

Findings in the literature vary with regard to the meditation methods used in some groups. Individuals can have either a positive or a negative experience with meditation. It all depends on the characteristics of the individual, the method and the setting involved. In addition, parts of the literature analysed for the expert report suggest that membership can have therapeutic effects. However, this issue is still far from being certain.

The author states that it is usually possible for individuals to leave new religious movements voluntarily without any help from third parties. However, the individuals concerned perceive this break-away as a major crisis which considerably upsets their stability. However, this is not so much an indication of the “destructiveness” of the preceding experience of membership; instead, this is a side-effect which is associated with any emotionally important role change. In this context, professional help can be both necessary and helpful.

What is crucial for a later assessment of membership by the ex-member is the way in which the individual left the movement. This assessment will be much more negative if an individual was forced to leave, while it will be seen in a more positive light if the individual left the group on his own initiative.

According to the author of the study, it is not possible to clarify all the aspects or give answers to all the questions associated with the complex of “Psychological Effects of Membership”. It is possible, however, to draw a few conclusions. The author points out that membership in new religious movements cannot be generally labelled as being harmful. The empirical studies available have shown that the psychological condition of members is within a normal range, comparable to those parts of the population that are not members of such movements.

The author points out that religiousness can be a relevant factor during critical development phases (e.g. adolescence); it can be experienced as either helpful or hampering. It is important to distinguish between the various ways in which individuals access a given group or orientation; individuals can either be “born” into membership or become members on their own initiative during adolescence. The authors draws attention to the fact that this issue and the dynamics involved have not yet been sufficiently studied.

The findings of the report are summarised by the author as follows:

- The study does not confirm the assumptions that new religious movements are generally destructive and that members generally have a premorbid personality.
- However, crises in the lives of the individuals concerned and emotional instability often seem to precede membership.

- Because of differences in the psychological structure of members, depending on the group involved, it cannot be assumed that there is something like a consistent “sect member personality”.
- As a rule, the personality traits of members do not differ from the personality traits of similar groups in the general population.
- In most cases, it is possible for individuals to leave a given group without any help from third parties. However, this experience must be seen as a destabilising and traumatising event.
- This is not necessarily due to the group involved but, among other things, to socio-psychological processes associated with an individual’s role change.

4 Information and counselling

4.1 Information provided by governmental bodies

In Germany, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth Affairs (BMFSFJ – *Bundesministerium für Familie, Senioren, Frauen und Jugend*) is in charge of questions relating to new religious and ideological communities and psychogroups on behalf of the German Federal Government. This ministry also publishes relevant information pamphlets for the public.

In 1993, the German *Bundesverwaltungsamt* (BVA – Federal Administrative Office) established a new department called “Youth Sects and Psychogroups” to act as a source of information for the German Federal Government. The role of this department is to generate reports, analyses and evaluations for the German Federal Government with a view to developing the necessary legislative initiatives and preparing statements and reports to be submitted by the German Federal Government to the German *Bundestag* and its committees. At present, providing information to other governmental agencies and the public is not yet within the scope of responsibilities of the new department. However, the Enquete Commission would welcome a decision that would enable the department to supply information to other interested parties, in particular to other governmental agencies.

In addition, all of Germany’s federal states inform the public about new religious and ideological communities and psychogroups. In most cases, such information is provided by permanently established departments which are responsible not only for public relations but also for internal information. The Federal State of Bremen, for instance, has merely established a contact point in one of its departments where citizens can go to obtain advice. In many cases, however, it is necessary to provide the necessary material resources to the state-level commissioners in charge.

The primary purpose of the interministerial working groups of the Federal Government and the state-level governments in the field of new religious and ideological communities and psychogroups (*Bund-Länder-Gesprächskreis*) and specifically concerning the Scientology Organisation is to exchange information across departmental borders. Another function of the interministerial working group is to identify areas in which there is need for action and to co-ordinate specific actions (e.g. the publication of educational brochures) involving several departments. In some federal states, there are also specific interministerial working groups dealing with this subject (Baden-Württemberg, Bavaria, Hesse, Lower Saxony, Rhineland-Palatinate, Saxony, Thuringia). Interministerial working groups dealing with the Scientology Organisation exist in the states of Hesse, Mecklenburg – Western Pomerania, and Saxony-Anhalt.

The sections of the various state-level ministries responsible for such issues co-operate with local apex organisations, the police, etc. Information is also collec-

ted by Church-run and private counselling and information centres. All the specialised sections of ministries and the contact points in the various federal states have at least informal contact with those institutions.

Legal background to the activities of governmental information centres

Under the German Constitution, the government is obliged to be neutral in religious and ideological issues. Government can only intervene in the freedom of religious and ideological beliefs after weighing conflicting interests: on the one hand, the protection of constitutional rights of others, and on the other hand, the protection of the constitutional order. The German Federal Government provides information on new religious and ideological communities and psychogroups in compliance with its constitutional obligations; to be more specific, the Government “expresses opinions and submits recommendations and warnings to the public within the limits of the proper execution of the powers granted by the Constitution” (Federal Constitutional Court decision of 15 August 1989, 1 BvR 881/89).¹¹²⁾ This ruling was triggered by a constitutional complaint (which ultimately was not accepted for a court ruling) against a judgement handed down by the Federal Administrative Court on 23 May 1989. In this decision (Federal Administrative Court judgement of 23 May 1989, 7 C 2.87, in: Decisions of the Federal Administrative Court – BVerwGE – Vol. 82, pp. 76 ff.), the Federal Administrative Court unequivocally ruled that the German Federal Government was entitled to provide information and publish warnings by virtue of the Government’s constitutional responsibility to inform and educate the public with regard to new religious and ideological communities and psychogroups.

This view is shared by the European Commission of Human Rights, which had to rule on the complaint filed by an applicant whose activities were described in a brochure on new religious and ideological communities and psychogroups and whose group was warned against. The complainant felt that this was a violation of Article 9 (freedom of thought, conscience, ideological beliefs and religion) of the Convention for the Protection of Human Rights and Fundamental Freedoms. In its decision, the European Commission of Human Rights came to the conclusion that a government was entitled to provide “information on religious communities and sects in an objective, but critical manner”.¹¹³⁾ The Commission felt that the intended publication would not have any “direct impact on the freedom of religion” of the complainant and that, hence, the freedom of religion as protected under Article 9 was not affected. For this reason, the Commission ruled unanimously that the application was not admissible as defined in Art. 27 of the Convention because it was obviously unfounded.

¹¹²⁾ Cf. Neue Juristische Wochenschrift (NJW) 1989, p. 3269.

¹¹³⁾ Cf. Council of Europe, European Commission of Human Rights, First Chamber, Decision as to the Admissibility of Application No. 29745/96.

This right to provide information and publish warnings must also be granted to the federal states in Germany because similar constitutional rights apply to their area of jurisdiction (Regional Administrative Court Hamburg, NVwZ 1995, 498, 501).

The court decisions mentioned above show that there is no need for separate legislation governing governmental activities in the fields of information and education. All the activities carried out by the German Federal Government and the state-level governments are based on this legal assessment.¹¹⁴⁾

The Federal Administrative Court has made a clear statement on public funding of private information initiatives. In its decision of 27 March 1992 (the so-called Osho judgement, Federal Administrative Court 7 C 21.90 in: BVerwGE, Vol. 90, pp. 112ff.), the Court ruled that by providing funding for a private association “which is designed to warn the public with regard to the activities of certain religious and ideological communities, government intervenes in the fundamental rights of the groups affected”.¹¹⁵⁾ The Court pointed out that, hence, funding could only be provided on the basis of relevant legal provisions; in this case, the obligation of government to protect the legal rights of the citizens concerned did not eliminate the need for governmental interventions to be properly authorised by law. Furthermore, the Court stated that government would violate its constitutional obligation to be neutral if it provided funds to associations which themselves worked on a religious or ideological basis, and which hence were not neutral but partial in the religious/ideological controversies.

4.2 Counselling and information provided by non-governmental bodies

4.2.1 Need for counselling and information from non-governmental centres¹¹⁶⁾

In addition to the findings obtained at the hearing mentioned above, there are many case reports and some general articles and activity reports published by several counselling centres.¹¹⁷⁾ However, the reports published invariably

¹¹⁴⁾ Only the State of Schleswig-Holstein has adopted separate legislation for its information activities. It was felt that these activities also involved the storage and processing of personal data and that this would have to be backed up by the introduction of specific provisions in the Data Privacy Protection Act of Schleswig-Holstein.

¹¹⁵⁾ Cf. Chapter 5.5.4.3.

¹¹⁶⁾ Cf. minority opinion of Commission members Dr. Jürgen Eiben, Prof. Dr. Werner Helsper, Dr. Angelika Köster-Loßack, MP, Prof. Dr. Hubert Seiwert, p. 296.

¹¹⁷⁾ E.g. Klosinski, G.: Psychokulte – Was Sekten für Jugendliche so attraktiv macht. Munich 1996; activity reports are available from Infosekta Zurich, Sekteninfo Essen, Sekteninfo Bochum, Sinus Frankfurt/M., Arbeitsstelle Weltanschauungsfragen beim Ev. Gemeindedienst Stuttgart, Referat Weltanschauungsfragen der Evangelischen Kirche im Rheinland (Düsseldorf), EZW Berlin, IDZ Cologne.

provide descriptions of practical cases; they are not systematic studies of this problem area. So while it is possible for counselling centres to assess the quality of the conflicts involved based on case reports, it is hardly possible for them to determine the quantitative need for counselling. However, the reports published by the counselling centres have shown that when specific professional services become known, the demand for such services is often greater than the available supply of counselling capacity. For this reason, many counselling centres are currently being established or consolidated by private operators or initiatives. In addition, the hearing as well as the activity reports published by counselling centres also suggest that at least half of the inquiries are aimed at obtaining information and clarification. In many cases, individuals contact the counselling centres for orientation to prepare their personal decisions. What they expect the counselling centres to provide, for instance, is an assessment of the risks involved, or an ethical appraisal of a given practice. Many individuals also want short psychosocial counselling which only requires one session. In some cases, however, more intensive counselling (2 or more sessions) is also considered to be desirable or necessary. In these cases, it can be assumed that the desire for counselling is caused by massive, in some cases chronic, inner psychological and social conflicts.

On the other hand, the question as to what groups give rise to the greatest demand for information and counselling in their environment can only be assessed on the basis of the activity reports. A generalised estimate covering several counselling centres shows that the greatest demand for information and counselling is generated by so-called “psychocults”, at present usually Scientology (in some centres, the single, most frequently cited group). Number two includes a wide variety of extremist Christian groups such as *Gemeinde Christi* (Christ’s Congregation), radical charismatic groups, as well as the so-called traditional sects (primarily Jehovah’s Witnesses). In some of the counselling centres, these groups are the single most frequently cited group). The presence of political groups (VPM, LaRouche movement) varies widely from one region to another, while the demand for counselling created by guru groups, special esoteric communities, Satanists, etc. is lower, albeit at a constant level. This ranking has been subject to major variations over the years: Schmidtchen (1987)¹¹⁸⁾ found that the most important group was the Bhagwhan movement which was expanding at that time; however, after the death of the guru, this movement is virtually negligible in statistics.

However, the conflict-proneness of the various groups can be assessed not only by means of the demand for counselling documented.¹¹⁹⁾ The cases recorded by a counselling centre are almost exclusively accounts of private problems and conflicts of individual biographies. Potential political and societal

¹¹⁸⁾ Schmidtchen, G.: *Sekten und Psychokultur*. Freiburg/Basle/Vienna 1987

¹¹⁹⁾ Only in a few cases (Jehovah’s Witnesses) are there any reliable data regarding the size of the membership. Cf. Interim Report of the Enquete Commission on “So-called Sects and Psychogroups”, German *Bundestag*, 13th legislative period, *Bundestag Doc.* 13/8170, 1997.

conflicts (e.g. economic conflicts) are hardly recorded. The only thing that can be safely said currently is that – relative to all other types of communities – the so-called psychogroups create a high demand for counselling by individuals, probably because they directly intervene in the individual's personal life and because they are particularly attractive for individuals with prior psychosocial problems. In the activity reports of many counselling centres, for instance, Scientology is cited more frequently than Jehovah's Witnesses although Jehovah's Witnesses can be assumed to have about five to fifteen times more followers than Scientology.

Furthermore, the activity reports and an expert report prepared on behalf of the Enquete Commission¹²⁰⁾ have shown that it is not possible to draw a clear-cut line between esoterics, occultism and free spiritualism in terms of the demand for information and counselling generated. This means that orientations that are ideologically alien to the individuals concerned or exotic therapies – even when offered by communities which are not closed – lead to requests for information and counselling. Finally, the analysis of the activity reports has shown that the demarcation line between requests for information and requests for counselling in the narrower sense is blurred and that it is often impossible to distinguish the two. For the individuals concerned, the desire to be given an explanation for what has happened to oneself or to a relative is often the first step on the way to coming to grips with their experience. For this reason, the quality of the help that can be given depends not only on the knowledge with regard to the communities and movements involved but also on the knowledge-gathering theories and, generally speaking, the perception patterns of the counselling staff.

4.2.2 Current basic elements of conflict perception

In addition to the sociological, psychological and psychotherapeutic concepts which are commonly used in counselling, the perception of conflict structures and conflict histories requires not only theories as to why individuals join radical groups (conversion theories) but also sociopsychological or sociological concepts which are aimed at identifying how a group contributes towards an escalation of internal and external conflicts. Such theories also determine how counsellors assess an individual's situation in life, as well as the internal psychological condition, etc. of followers; how psychological problems in connection with the deconversion of so-called drop-outs are explained and treated; and how conflicts are perceived and influenced in a group's environment (family, work).¹²¹⁾ Progress was achieved in this field as a result of the Commission's

¹²⁰⁾ Beratungsbedarf und auslösende Konflikte im Fallbestand einer sog. Sektenberatung anhand von Fallkategorien und Verlaufsschemata, Report prepared for the German *Bundestag*'s Enquete Commission by the Information and Counselling Service of the Department of Sects and Ideological Issues in the Diocese of Aachen, 1998.

¹²¹⁾ A summary and critical assessment of current conversion theories with literature references is provided by Klosinski 1996 loc. cit. and Hemminger, H.: Psychische Abhängigkeit in extremen Gemeinschaften. Materialdienst der EZW 60 1997, pp. 257–266 and pp. 290–297.

research project which is described in greater detail elsewhere in this Report (Chapter 3.6). The findings of this project with regard to the perception of the need for counselling can be described as follows:

Four sub-projects were conducted to obtain information about the reasons why some individuals leave their groups while other stay in their groups. The purpose of the studies was to contrast the motives of the two groups of individuals in order to find out what interactions there are between the individuals' own actions, their need to find meaning in, and to be able to shape, their own lives, and the activities and structures of groups. The methodology used was derived from the field of qualitative social research; in one sub-project, a standardised personality test was used in addition. Although the four sub-projects varied somewhat in terms of the methods used and the research fields covered, they produced the same findings: They showed that it is not possible to generalise the attractiveness of new religious and ideological communities and psychogroups or the reasons why individuals convert to, or leave, such communities and groups; instead, there are several different and unexpected ways in which individuals go through the social processes of conversion, acculturation and possibly leaving their group. In addition, the four sub-projects showed that the biographical consequences of conversion are not at all only dependent on the convert's mindset (i.e. a "searcher model"); nor are they only determined by the groups (i.e. a "manipulation model"). Against the background of the complexity and the diversity of the biographical problem constellations identified and the relevance of an individual's life theme, it is possible to conclude for those cases in which there is a clear need for counselling because of worsening crises or conflicts that counselling must certainly not be limited to the period when an individual is a group member or when he or she has decided to leave the group. The problems involved in such counselling become suddenly clear if one bears in mind that in some of the cases interpreted the biographical problems were not "resolved" when the individual left the group; instead, they continued to be relevant in a different social context, and the individuals concerned had to continue working on these problems. In fact, the processes of conversion, acculturation and possible deconversion involve complex interactions. Overall, the sub-projects showed that religious or ideological claims to validity and intellectual plausibility of group doctrines, etc. only play a minor role for individuals who decide to stay in or leave groups. It was found that an individual's conversion and possibly deconversion largely depended on the "fit" between the group's social structure and orientation on the one hand, and the individual's personality and situation in life. Such interaction can apparently lead to conflicts as a result of which the individuals concerned look for help and counselling. Such help can be obtained from providers of psychosocial services.

It should also be mentioned that there is an unpublished study, which was conducted at the University of Hamburg, regarding the state of mind of drop-outs from the *Neuapostolische Kirche* (New Apostolic Church) and Jehovah's

Witnesses.¹²²⁾ The respondents' retrospective assessments confirmed the crucial role which the social "homes" offered by the two communities played in their conversion and the important role which social frustrations and constraints played in their deconversion. In this context, the discrepancy between the social ethics taught and actual practice was a crucial experience; however, while this finding appears to be plausible with regard to the two communities mentioned above, this can probably not be generalised. Furthermore, the findings obtained in the study suggested that there was a difference between women and men with regard to deconversion processes; this hitherto unknown finding should be further investigated in future scientific research.

4.2.3 Need for counselling and the underlying conflicts: Findings of the expert report prepared by the Department for Sects and Ideological Issues in the Diocese of Aachen

It was important for the Enquete Commission to clarify the situation in the Federal Republic of Germany with regard to counselling and information provided in the field of new religious and ideological communities and psychogroups. The Commission was primarily interested in the specific counselling and information activities carried out by non-governmental centres.

In order to obtain such information, the Commission awarded a contract to the Information and Counselling Service of the Department for Sects and Ideological Issues in the diocese of Aachen to prepare an expert report on "The need for counselling and the underlying conflicts as observed in the cases collected by a so-called sects counselling service, based on case categories and case development patterns". The counselling centre involved provides orientation and help to any individual who is affected by a crisis or conflict; the centre is available for both individuals and groups, both inside and outside the Catholic Church, and it is also available for all staff members of the Church, be they in pastoral or educational work.

The centre provides the following services:

- information on questions of ideology,
- counselling for individuals, couples, and groups,
- peer counselling for staff working in youth welfare departments, psychosocial services, and in juvenile court relief services,
- networking of the individuals involved in the course of a given case in the field of new religious and ideological communities and psychogroups.

The purpose of the report prepared on behalf of the Commission was to identify and analyse the causes of an individual's need for counselling; to distinguish, where possible, between different types of underlying conflicts; to identify the

¹²²⁾ Schwab/Möller/Schirm 1997.

skills which staff need to help individuals who come for advice; to find out if the centre involved co-operates with other centres, and if so, with which; and to draw conclusions with regard to future work in this field.

The report prepared by the Information and Counselling Service in Aachen describes 50 cases of individuals who needed counselling and the respective underlying conflicts in the period between 1992 and 1997; these cases typically involved individuals who were seen by the counselling staff as facing severe conflicts and needing a lot of time and effort for counselling. The minimum counselling period was 1 month, with the average ranging between 4 and 7 months; each counselling period involved more than three contacts. Counselling was provided in accordance with the same professional rules which also apply to psychological counselling of individuals suffering from major internal and external conflicts. The Commission hoped that this report would enable it to identify particularly severe and long-lasting problem constellations within the spectrum of potential interaction patterns which occur in the context of new religious and ideological communities and psychogroups and which therefore are in particular need of treatment. For this reason, the report did not consider crisis interventions, short counselling periods or individuals who came for information and orientation; the same applied to counselling provided for families and couples, etc. However, when evaluating the findings of the report, it must be borne in mind that (in addition to the severe cases) such contacts where individuals come for help and advice represent a major portion of what counselling centres do in practice. The cases described in the report show that there are some features which apply generally or are found very frequently:

- Usually, personal problems and problems with relationships were the reasons why individuals wanted counselling.
- Almost all of those who came to the counselling centre for advice also received other help, usually from doctors and/or psychotherapists, but also from family counsellors, lawyers and social workers.
- The people who came for advice varied widely in terms of their ages, as well as their professions, their levels of education, and other demographic data.
- Because of the small number of cases involved, it was not possible to detect any correlation between type of the group or movement concerned and the conflict pattern.
- Most of the individuals who came for advice were so severely affected that they showed psychological or somatic reactions of a pathological nature. However, only about half of them had a case history of chronic emotional disorders or psychotic symptoms or personality disorders.

A preliminary evaluation of the 50 case studies by the Commission confirmed the plausible assumption that need for counselling develops when a given community has a particularly high conflict potential – either in terms of its doctrine or practice – or when such a community with its doctrines and practices inter-

acts with particularly vulnerable individuals and circumstances. In the cases studied, the following typical conflicts were observed (which can currently be described in a preliminary fashion only):

An individual's family and social environment is burdened by his or her conversion (indirectly affected people)

The conversion and the associated re-orientation of an adult or an adolescent which comes as a surprise for his or her environment puts a burden on members of the core family and on spouses or partners in life. The conversion can be interpreted as an attempt (subjectively and/or objectively threatening for those who seek advice) by the directly affected individuals (who do not come for counselling) to come to grips with inner psychological and/or social conflicts and development problems. A severe conflict can arise if an individual's coping efforts prove to be ineffective and if the original problem worsens under the influence of the group, e.g. if the group downgrades current human references, if it encourages the individual to act out inner conflicts, and if the individual loses touch with reality, etc. A need for counselling can also arise if those who come for advice refuse to adopt an approach which would actually be reasonable, or if both sides instrumentalise the group for their conflict in a given relationship. In some cases, counselling enables the individuals concerned to turn the conflict into an opportunity to re-organise, repair or pacify the relationship with their family or partner. In these cases, the individuals directly affected opt for deconversion. In other cases, the conflict leads to separation or a loss of the burdened relationship for those who come for advice; in such cases, the individuals directly affected do not opt for deconversion.

An individual's personal relationships are burdened by his or her conversion

As in the first type of conflict, the conversion and the associated re-orientation which comes as a surprise for the individual's environment considering his or her biography put a burden on the individual's current relationships with members of the core family, with a spouse or partner in life, and possibly also in professional life. This leads to role conflicts and identity problems. As a result, the individual soon has doubts with regard to his/her own decision and with regard to the group's doctrine and practices. The conversion can again be interpreted by those who come for advice as an attempt (which is incompatible with the individual's social environment and with his/her own development) to come to grips with inner psychological and/or social conflicts, or the consequences of a physical ailment, or developmental problems. A need for counselling arises when the individual's coping efforts as such prove to be ineffective and when the individual's difficulties – in particular the problems with personal relationships – grow worse under the influence of the group because the emotional and social "costs" incurred due to resistance from reference persons become too high or because both sides instrumentalise the group for their conflict in a given relationship. In the course of counselling, the individual directly affected opts for deconversion.

Unbearable curtailment of an individual's viability and quality of life in a community

The individuals who seek counselling have experienced an unbearable curtailment of their quality of life and of their ability to deal with everyday problems, despite or because of their involvement in a group and the use of life-counselling services in this group. Such an experience can be caused, for instance, when individuals are overtaxed by the temporal, financial or emotional strains they are exposed to in the group; other causes include mental disease, as well as severe financial and professional crises. In many cases, there is a cause/effect relationship between the unsuitable help provided by a group to cope with problems, the group context which is perceived as a burden, and the worsening of disorders. Sometimes, individuals also instrumentalise a group to satisfy their own needs in the context of their own psychodynamics. Often – but not always – this leads to deconversion. It may turn out that the conflicts cannot be influenced by counselling. Some of the individuals who come for advice are afraid of aggression and reprisals from their communities, some of which deliberately frighten their followers with regard to the consequences of deconversion; others have had practical experience with such consequences. Ritual sexual abuse in a cultic context is an extreme case in point. In isolated cases, individuals who came for advice themselves showed aggressive reactions, and in extreme cases even criminal reactions, to the actions taken by the group.

Individuals dissociating themselves from, and leaving groups because of personal development processes

The individuals who fall into this category come for advice because they are in the process of dissociating themselves from the context of a community or from the leader of such a community; these individuals have already embarked upon their deconversion, but they have not yet entirely finished this process. They are completing a development phase during which they were able to satisfy some of their needs within the community; however, these needs are now irrelevant or outdated. Some of them dissociate themselves from a community into which they were born and socialised. If the individuals involved are unable or unwilling to achieve the adaptation which this process requires, they will need counselling. From time to time, the dissociation process is not triggered by the personality development of the individuals who come for advice but by developments in the individual's community (e.g. radicalisation, change of course).

In connection with the former two categories of conflict (relationship conflicts triggered by conversion), it was often necessary to provide follow-up care or additional assistance such as marriage counselling, psychotherapy, clinical treatment, etc. This applied even more to the third conflict category (unbearable stress in the community). In connection with the fourth conflict category, however, therapeutic follow-up care was necessary in isolated cases only. Even if there was no need for intensive follow-up care, it proved to be useful in most cases for the individuals who came for advice to attend self-help activities.

Furthermore, the authors of the expert report also pointed out that it was not possible (with one exception) to involve the groups concerned in the counselling process to play a mediating role (probably because of the severity of the cases). However, in many less severe conflicts- especially in the fields of public information and education- mediation seems to be possible, and it was wanted in many cases.

4.2.4 General conditions of counselling work

a. Expert report on the “Qualifications required for counselling work in the field of so-called sects and psychogroups: Criteria and strategies”¹²³⁾

In order to find out the most suitable skills profile that meets practical counselling needs, and to identify the specific requirements to be met by counselling work, and to establish whether it is necessary and possible for staff working in counselling centres to acquire specialised skills, the Commission awarded a contract for the expert report cited above.

The authors of the report examined the points listed above by analysing the concepts and structures currently found in counselling centres, based on empirical data obtained from statistics compiled by the *Informations- und Dokumentationszentrum Sekten/Psychokulte* (IDZ – Information and Documentation Centre on Sects/Psychocults) and on analyses of individual cases. As a result of their studies, the authors came to the following conclusions:

They found that there was a lack of empirical studies on the subject of “sects counselling”. However, they pointed out that there were a number of handbooks for individuals affected and publications on this topic.

According to their findings, current counselling activities in the field of sects is based on three pillars: initiatives by parents and individuals directly affected, Church commissioners for sects, and experts in the fields of science, social counselling, the judiciary and committed private individuals. However, the authors pointed out that the term was not very clearly defined because it was associated with highly diverging assessments, depending on the vantage point of the observer. In addition, they said, there were also diverging views about the purpose which counselling in the field of sects fulfils or should fulfil.

The authors stated that the spectrum was very wide, ranging from a very narrow interpretation (according to which counselling in the field of sects should be exclusively designed to help individuals leave their groups) to a more moderate approach (which, while being more moderate in the choice of methods, also

¹²³⁾ Roderigo, B.: Zur Qualifizierung von Beratungsarbeit im Spannungsfeld sogenannter Sekten und Psychogruppen: Kriterien und Strategien, Report prepared on behalf of the Enquete Commission on “So-called Sects and Psychogroups”, 1998.

implicitly pursued the objective of deconversion). In this context, the authors said, the term “sect” was largely perceived as being negative and harmful for the personal development or the family constellation of the individuals concerned. According to the authors, this type of counselling was exclusively directed against sects.

On the other hand, the authors found that there were also a number of counsellors who were pursuing an unbiased counselling approach, i.e. they appealed to the personal responsibility of the individuals affected, built upon existing resources and defined a counselling objective that could be achieved jointly with those who came for advice; at the end of this process, the individual concerned could either reassess his or her sect membership or accept the status quo.

In addition to being very active in making presentation and organising information events at schools, community centres and other adult education institutions, many counselling centres in the field of sects were also providing advice to the media.

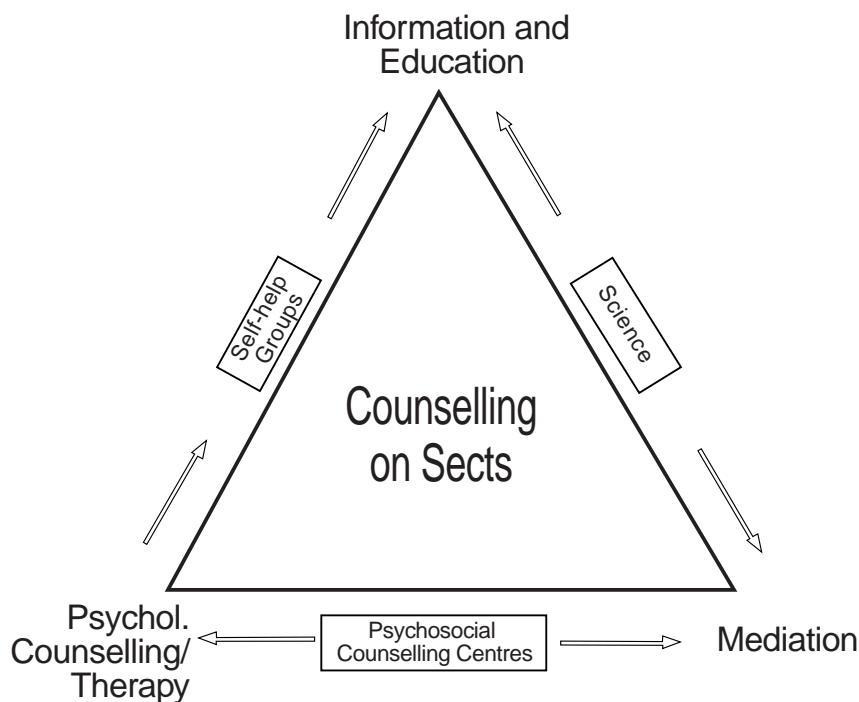
According to the authors of the expert report, the counselling services currently available in the field of sects provided necessary, albeit insufficient help for people who were in a difficult situation in their lives due to the influence of “so-called sects and psychogroups”. In many cases, counselling services helped to settle conflicts; however, they could also be a source of conflicts, especially in conjunction with publicised opinions. The term “sect counselling” as used in the current discussion referred to very heterogeneous fields of activity so that it was very difficult to agree on objectives and to delineate specific areas of responsibility. As a result of this situation, there were repeated misunderstandings which led to new problems.

For this reason, the authors recommended that agreement should be reached with regard to the range of responsibilities, as well as the objectives and the limits of sect counselling services, and that binding definitions should be adopted for this purpose; and that qualification criteria and profiles for counsellors as well as qualification strategies could only be developed as a subsequent step.

When defining the various areas of responsibility, the authors of the report identified three major fields for counselling services:

- information and education,
- psychological counselling/therapy, and
- mediation.

They suggested that these three fields should not be seen in isolation from each other; instead, they were interlinked. This interdependency is illustrated by the following triangle:



According to the authors, information and education is the basis for any counselling work, based on professional competency, a detailed and responsible documentation, as well as an intensive exchange of information among the various players involved in the counselling process, i.e.:

- self-help groups,
- psychosocial counselling centres,
- science.

The authors pointed out that there was a consensus to the effect that for individuals who were directly or indirectly affected the term “sects counselling” also implied psychological counselling, and that there was a need for such services. The third area of responsibility arose from the fact that many of the conflicts developing in connection with “so-called sects and psychogroups” could not be resolved by means of currently practised forms of counselling. Instead, an obvious choice would be the use of mediation methods, i.e. exchanging contrary positions with the help of a neutral and impartial mediator and identifying points of conflict in order to work out alternatives and options in a common dialogue and to develop a consensual result, based on the responsibility of the parties involved. Mediation was already successfully being applied in many fields of societal problems (divorce, neighbourhood conflicts, environmental conflicts, etc.).

b. Quality characteristics of information and counselling provided by non-governmental bodies

The basis of any information, education and counselling activities must always be knowledge on the part of the staff involved and an extensive and up-to-date

documentation on the groups concerned. Since the various counselling centres are rarely able to do this by themselves and since the necessary objectivity can only be achieved by comparing information from a variety of sources, the centres should be attached to a (formal or informal) network of institutions whose data flow they can use. Currently, the work of the centres is hampered by the fact that centralised and readily available scientific archives and collections of documents either do not exist or are inaccessible for many of the counselling centres. However, effective information and counselling activities also require personal experience and possibly contacts with the groups concerned. People seeking information and advice expect the staff in the counselling centres to know enough in order to be able to put themselves into their position and to share their perspective. Based on this platform, it is also possible to describe a number of specific responsibilities for information, assistance and counselling centres:

- public and private information and education,
- public and private mediation,
- short counselling sessions, helping individuals to help themselves,
- mediating contacts for medical, social, legal, educational help, etc.,
- crisis interventions,
- practical, ethical and ideological orientation,
- psychological counselling,
- therapeutic interventions.

It is obvious that it is not possible for one centre, let alone one person, to pursue all the objectives in the same way. This is due, among other things, to the fact that this would require an unrealistic accumulation of communication structures and professional competencies. In addition, the skills required for an effective implementation of the functions are mutually exclusive. Crisis intervention calls for different structures and skills than conventional psychological counselling. Furthermore, public education can conflict with therapeutic objectives. Overprofessionalised staff can even hamper effective help for self-help, etc. Moreover, individuals who come for advice will only ask for orientation if they have confidence in the counsellors' judgement, i.e. the counsellors' own ideological views must be close to the views of the people who come for help. For these reasons, it is necessary to have a network of organisations and support institutions which vary in terms of their institutional and professional background; this network, in turn, has access to existing institutions (psychotherapeutic services, rehabilitation, psychological counselling, youth welfare departments, social welfare offices, citizens' legal advice bureaux, bureaux providing advice for individuals in debt, etc.). The purpose of this co-operation is not full

alignment of skills, positions and objectives; instead, this co-operation is designed to serve people in need of help. To this end, efforts should be stepped up to develop and cultivate useful contacts.

More specifically, the various skills required can be described as follows:

Staff working in professionally operating centres should have the ability and the skill to mediate between the groups and the individuals affected or – via media contacts – between the groups and the public; however, such skills cannot be expected from self-help groups (see below). All in all, there is hardly any practical experience with mediation; for this reason, greater attention should be paid to this function in the future.

Since individuals seeking advice – even if the contact is short – often want more than just mere factual information; they also expect all kinds of practical and personal advice; hence, the counselling centres must either be able themselves to provide psychosocial and psychological counselling, or they must be able to refer the individuals concerned to others who can provide such counselling. If individuals need psychotherapeutic treatment, the centres must also be able to recognise this and provide the help which these individuals need. Some counselling centres are run by institutions which have a clear ideological bias, in particular the major Churches. Others acquire a public ideological profile due to their media presence (action groups of individuals affected, etc.). Such counselling centres are often expected to provide not only concrete help and psychological counselling but also orientation, help to enable individuals to take their own decisions, ideological orientation (spiritual welfare in the case of counselling centres run by the Churches). The most frequent case in this kind of centre seems to be that members of radical Christian groups or their relatives turn to counselling centres run by the major Churches. Providing orientation is not incompatible with providing objective information and quality advice, as long as the individuals who come for advice can clearly recognise what institution is running the counselling centre and what its ideological positioning is; and as long as the individuals have deliberately chosen a given centre; and as long as the position of the counsellors can also be discussed during the counselling process.

While it is not possible to draw a clear line between psychological counselling in the narrower sense and ideological orientation as well as psychosocial counselling on the one hand, and psychotherapy on the other hand. However, psychological counselling should retain its independent character, and it should only be provided by the counselling centre itself if the staff of the centre have not only the necessary knowledge in the field but also the counselling skills required. These skills which professional counsellors must have include (aside from the indispensable factual knowledge with regard to the group or movement concerned) primarily the abilities and professional qualifications which are normally needed for psychological counselling. According to common belief, the conflicts in which new religious and ideological communities and psychogroups are

involved do not represent such a specialised field that this would require special psychological or therapeutic training. However, counselling staff should attend further education courses to be familiarised with the common conversion theories (see Chapter 3.6) as well as relevant knowledge in the fields of psychology and sociology of religion, which are not part of the standard training of psychological counsellors.

4.2.5 Lay helpers

Under certain conditions, lay people can also have the skills required for counselling. Because of the major role played in this field of work by self-help groups and initiatives of affected individuals, this point is discussed in greater detail below: In the wake of the movement of the 1968 generation, self-help groups developed into a major/important factor in the fields of social affairs and health. The oldest, still active initiatives of affected individuals date back to those days. In the context of a self-help group, the term “lay person” first of all means that the individual involved is not a trained professional with a given title, and secondly that the person involved works in this field as a volunteer instead of exercising a profession. Within the spectrum of lay helpers, there is considerable variation in terms of the level of knowledge and skills acquired by the individuals concerned. With regard to problem-related skills, it is possible to find all kinds of transitional forms, including – at one end of the scale – “pure” self-help groups composed of people without any professional knowledge at all and – at the other end of the scale – volunteers who may be far more knowledgeable, due to their practical experience, than professional counsellors. Hence, the terms “lay people” and “experts” can be defined to a limited extent only on the basis of differences in skills in terms of information and help. However, there are other differences: Lay helpers are typically not oriented towards acquiring the kind of general competency which a training curriculum will provide; instead, they are interested in acquiring specific problem-solving skills in keeping with their commitment. Against this background, lay helpers stand for a specific objective of helping, rather than for a sector of helping. In addition, the roles played by lay helpers are different from those played by professional helpers, and lay help is based on different communication structures. Lay helpers, for instance, tend to leave more responsibility for what happens to those who come for help than professional helpers do. This is fostered by the fact that lay helpers are more similar to those who seek help than professionals can ever be. The principle often is that lay persons who have been affected themselves help other affected individuals based on their experience and their insights. Even where this is not the case, the problem perception of lay helpers is closer – in terms of the complexity and the assumed cause/effect relations – to the perception of those who come for help. In so far, lay helpers can be expected to be objective, but not neutral or uninvolved. On the contrary, under certain circumstances it may be beneficial to blend personal contacts with the provision of help.

The features used in literature to describe lay helpers can be summarised as follows:

- voluntary and side-line activity,
- specific problem-oriented skills (instead of general professionally-oriented skills),
- concentration on a limited group of people who seek help,
- concentration on a limited objective of helping,
- helpers assume less responsibility for the influencing process, or they leave more responsibility to those who seek help,
- tendency towards having a symmetrical role distribution in the relationship between helpers and individuals seeking help,
- use of everyday terminology and everyday forms of communication,
- closeness to individuals who come for help or towards their situation (no general “detachment”),
- proximity to the perception and explanation patterns of those who seek help.

Such a lay status obviously involves both advantages and disadvantages with regard to the solution of the issues listed above. Self-help groups and counselling centres run by groups of affected individuals, etc. are primarily able to build up a relationship of trust quickly with the individuals who come for help; on this basis, they can provide information and education, offer orientation, carry out short and pragmatically-oriented counselling sessions, help other centres quickly and unbureaucratically, suggest or possibly implement crisis interventions, and in a longer-term perspective help individuals to help themselves. Except for self-help groups, there is hardly anyone else who can provide the supportive involvement of personally affected individuals who enter into longer-term relationships with other people who have had similar experiences. However, most self-help centres would be overtaxed if they were asked to provide extensive counselling with substantial therapeutic elements, let alone carry out psychotherapeutic interventions (see the cases analysed in 4.2.3 above); or they would have to co-operate with professional service providers.

4.2.6 Conclusions

The information and counselling services available in the field of new religious and ideological communities and psychogroups are found in a grey zone between social issues and ideological controversy. Maybe it is for this reason that the supporting professional and scientific framework for this field is still insufficient. This has been clearly demonstrated by the two expert reports discussed above. However, they have also shown that counselling is seen in a broader context. The findings obtained from the expert report on “The need for counselling and the underlying conflicts” have underlined that the professionalisation of this work is being tackled “bottom up”, i.e. at the initiative of self-help groups.

However, full professionalisation of information and counselling activities cannot be an objective. In this case, self-help would lose its strengths.¹²⁴⁾ On the other hand, the provision of information and counselling should not be left exclusively to personally affected individuals. Instead, professional help and self-help should be promoted in the framework of a comprehensive concept and in recognition of their respective strengths. In practice, however, there should always be a clear line between the different roles of lay helpers and professional counsellors. In addition, the objectives and limits of the counselling activities of either group must also be clearly defined. This clarity of the relationship is necessary not only for those who help and those who seek help but also for the persons concerned in their environment in order to work out common problem solutions.

The question as to how the necessary combination of skills and the right distribution of responsibilities between professional and lay helpers can be achieved in a given case is not yet clear. The above-mentioned study on the "Promotion of self-help by means of self-help contact centres", for instance, does not mention "sects counselling centres" at all. However, both in psychology and in sociology attempts have been made to apply methods to this problem area.¹²⁵⁾ The Enquete Commission feels that the availability of information and counselling services can only be guaranteed by means of co-operation among lawyers, doctors, psychotherapists, pastors, scholars of religious studies, debt counsellors and experts from other fields concerned.

However, the purpose of providing a professional and scientific framework for information and counselling activities cannot be to formulate a type of ideal self-help group. This would negate the strengths of self-help. Instead, it is not only conceivable but also desirable that centres with various skills and priorities exist side by side in a network of institutions which provide help.

4.3 Education and continuing education

4.3.1 Information and education provided to individuals and associations

Governmental information and education programmes for individuals and associations focused on new religious and ideological communities and psychogroups should be aimed at several objectives: first of all, to ward off dangers; secondly, to protect the individual's freedom of religion and ideology by

¹²⁴⁾ For a more detailed discussion, see Federal Ministry of Family Affairs and Senior Citizens (ed.): *Selbsthilfeförderung durch Selbsthilfekontaktstellen*, study conducted on behalf of the Federal Ministry of Family Affairs and Senior Citizens, Cologne, 1992.

¹²⁵⁾ Cf. *inter alia* Roderigo, B.: *Sektenberatung als gesellschaftliche Herausforderung*, Materialdienst der EZW 59, 1996, pp. 324–331; Utsch, M.: *Kooperation von Information und Beratung in der Weltanschauungsarbeit*, Materialdienst der EZW 61, 1998, pp. 129–136; Eiben, J./Krekel, E.M./Sauerwein, K.-H.: *Soziologische Beratung im Alltag*, Sozialwissenschaften und Berufspraxis 19, 1996, pp. 223–241.

carrying out information or education activities which enable the individual to take informed decisions; thirdly, to protect the free expression of opinion in the religious/ideological discourse by creating a favourable general setting; and fourthly, to promote peaceful coexistence among various religious and ideological communities, and where applicable, their integration into society. The first two points play a particularly important role in the fields of training/education (school, university, etc.) and statutory protection of young people in public places.

Information provided by government

Governmental education and information on specific groups by means of brochures, press releases, conferences, etc. continues to be necessary. However, these activities should be focused on those groups which are particularly problematic and/or particularly widespread and whose risk potential is well documented and clearly identifiable. Cases in point include the risk of sexual abuse of children on the part of the “Children of God” (now: Family)¹²⁶⁾ and the hazards posed by the Scientology Organisation for the health and the property of individuals. Aside from this, governmental information should be oriented towards specific conflicts, e.g. the conflict between the civil rights and the right of self-determination of individuals on the one hand, and the insistence of a religious group on rigid compliance with their rules of life, on the other. In this case, the social characteristics of groups that create dependency, as well as the characteristics of personality cults, etc. would be important issues to be dealt with in educational campaigns in the field of statutory protection of young people in public places. The Commission’s report contains a detailed account of other fields of conflict and the associated target groups for educational activities.

A particularly high conflict potential is currently ascribed to the numerous problematic life-counselling services available in the so-called psycho-market; some of these services are provided by organised communities. This would be an area that governmental education measures should concentrate on. Governmental education should also be considerably enhanced by providing counselling and help. Elsewhere in this Report, the Commission proposes that for this purpose, public funding of relevant research, counselling and education should be bundled and co-ordinated by establishing a foundation. The recommendations made here should be seen in a wider context together with this proposal.

While there is a need for public information, some controversial groups are pursuing a policy of disinformation – and some (VPM, Universal Life, and especially Scientology) even intimidate critics, if only by inundating them with lawsuits. For this reason, the involvement of governmental agencies in the flow of information must also be seen as a contribution towards ensuring that public opinion can flow unhindered. In addition, public education measures carried out by govern-

¹²⁶⁾ Cf. Hemminger, H./Thiede, W.: Kindheit und Jugend bei den “Kindern Gottes”, EZW 131/1996.

mental agencies should have a de-escalating effect in the public debate because of the government's special obligation (subject to judicial review under administrative law) to maintain neutrality; in addition, such public education measures put into perspective or provide a useful addition to the opinions expressed by other parties to a conflict. The network of well-informed counselling centres – which is also necessary for other reasons – should be enabled by means of appropriate measures to collect and exchange information/knowledge (networking), so that this information can be made available to governmental agencies, individuals who seek advice, institutions responsible for the administration of justice, etc. In addition, the network of well-informed counselling centres should participate on a large scale in the dissemination of information to the public at large.

School education

School education currently does not prepare individuals for life in a religiously and ideologically pluralistic society with all the problems involved. Against the background of increasing cultural and religious pluralism, school education should increasingly promote intercultural learning processes. The purpose of such learning processes is to facilitate intercultural tolerance and a reflected, critical examination of pluralistic life-styles and ideologies. It is also in this framework that the world religions and new religious and ideological communities and psychogroups should be examined in detail. There is one aspect which has not yet been sufficiently considered to date: Because of our society's individualisation – which is associated with a loss of the individual's integration into the community and the life world – there is an increasing likelihood that individuals will switch their religion and ideology in the course of their lives, and that individuals will be more readily susceptible to "quick conversions" than in the past.

Religion belongs to those convictions (and the resulting practices in life) that enjoy special protection under the German Constitution. For this reason, teaching is a matter of the religious communities involved. It is the responsibility of the Churches and the other religious communities which teach religious education in public schools to examine the curricula for this school subject, and to introduce or extend the scope of courses that deal with the subject of new religious and ideological communities and psychogroups, where this has not so far been done.

Since many young people opt out of denominational religious education as a subject taught in schools, it is obvious that the schools cannot remedy the shortcomings mentioned above. Instead of denominational education, schools should therefore generally introduce a teaching unit on religion, where this has not yet been done. The purpose of teaching this subject should be to provide information on the world's major religions, new religious and ideological communities and psychogroups, and also on the fundamental issue of religion.

What is often lacking in school curricula is background information on the world's major religions and on new religious and ideological communities and psychogroups. In this context, it would also be necessary to discuss the conflict-proneness of groups caused by radical or problematic structures. What should never be overlooked when such teaching units are introduced is that imparting cognitive knowledge about traditional and new forms of religion cannot replace denominational religious education which is also aimed at generating a religious awareness and religious commitment; instead, general information on religion can only prepare the ground for a tolerant and critical stance towards ideologies and religious beliefs.

In addition, such a teaching unit would have to be embedded in a subject-related yet interdisciplinary school culture of a moral discourse on the ethical/cultural and ideological/religious orientation patterns of foreigners. Furthermore, such a teaching unit should also consider the everyday experience of young people in their lives.

As a rule, the teachers who teach ethics or "values and norms", etc. (as a substitute for religion) did not receive any academic training in this subject at a university. For this reason, the introduction of a regular course of studies in this field is indispensable. The topic of "contemporary, new religious movements" should be given adequate attention in such a new course of studies. At present, the subject is taught by teachers who are either personally interested or who could not refuse when they were asked to teach this subject. It is not acceptable that the teachers of this subject are the only teachers in German schools who have to rely almost exclusively on attending sporadic continuing education courses. Some of Germany's federal states (e.g. Thuringia) have taken action to improve this situation. However, since the subject has by now been introduced in almost all federal states, albeit under different names and with different concepts, it is necessary to provide scientifically-based training.

While "world religions" is a topic which is dealt with in the teachers' academic training in the framework of theology and religious studies, new religious and ideological communities and psychogroups are even less well represented at universities than in school education. An international comparison has also shown that despite the social and intellectual importance of new religious and ideological communities and psychogroups, only scant attention is paid to them at German universities in the fields of research and teaching. Hence, there is also need for action at this level: Relevant courses should be made available, for instance, for students of social sciences, religious studies and theology, but also for students of psychology and law.

The Enquete Commission feels that it is desirable that the state-level governments in Germany – and more specifically, the Conference of the Ministers of Education – should create the conditions for the provision of qualified teaching in this field by allowing teachers to obtain proper academic training.

4.3.2 Information and education provided to public officials

Often it is not so much a lack of legal opportunities that prevents the judiciary, administrative bodies, etc. from taking necessary and sufficient action; instead, it is a lack of knowledge with regard to new religious and ideological communities and psychocults. For this reason, higher priority should be given in future to internal further education. This will be particularly important for:

- institutions responsible for the administration of justice,
- investigating authorities (public prosecutors' offices, criminal investigation departments),
- youth welfare offices and other agencies in charge of the statutory protection of youth in public places,
- health authorities.

For all of Germany's judges, there is currently only one further education course organised by the German Academy of Judges which lasts several days and which can be attended by approximately 30 participants per year. The further education opportunities for members of the administration, the police, etc. are similarly limited. While this shortcoming is remedied in part by the provision of written information, some of which is of high quality, this information material is not centrally co-ordinated or utilised, and it is not (yet) available from one central source. Individual committed experts – primarily employed in the administration of Germany's state-level governments – are regularly inundated by the large number of inquiries and requests for information. For this reason, they should be effectively supported by a central unit providing information material and further education courses. Once again, however, there is a lack of research in some areas; hence, it is necessary to make funds available in order to foster the gradual development of a sound research base.

Furthermore, the Commission has found out in the course of its work that the skills available in counselling centres vary widely; the same applies to the counselling concepts used, most of which have been pragmatically developed by the counsellors themselves, due to the lack of scientific groundwork. What is missing is the application of research findings (some of which have yet to be developed) and systematic experience in practice. For this reason, government should organise or provide funds for the continuing education of voluntary and paid counsellors, and for the development and testing of scientifically-based counselling concepts. In a longer-term perspective, such activities may lead to the development of yardsticks to assess the competency of counsellors, i.e. quality criteria for the provision of public funding for information and counselling centres.

4.4 Research and teaching

In the Federal Republic of Germany, research is largely financed by means of third-party funds (i.e. resources not included in the basic budgets and personnel resources of universities and other institutions) from various sources. According to 1990 data, German universities received 37 percent of their third-party funds for research from *Deutsche Forschungsgemeinschaft* (DFG – German Research Foundation), which obtains a total budget of approximately DM 2 billion per year from the German Federal Government and from Germany's state-level governments. About 29 percent of the third-party funds came from other federal budgets; 15 percent came from industry and associations, and 10 percent was made available by foundations and other funding bodies (VW Foundation, Robert Bosch Foundation, etc.). According to the 1998 facts sheet on so-called third-party funds published in the Federal Research Report (actual amounts spent in 1995), German universities had a total budget of DM 14.4 billion for research and development, of which DM 4.5 billion were third-party funds which came from the following sources: DM 1.7 billion from DFG; DM 1.1 billion from the German Federal Government; DM 0.1 billion from state-level governments; DM 0.3 billion from abroad/international organisations; and DM 1.2 billion from industry and foundations. However, the funds for the basic budgets of the universities are made available by Germany's state-level governments or by institutions sponsoring the universities. In Germany, research and development are financed by the German Federal Government, the state-level governments and industry; and research and development are carried out by industry, the universities, and non-university institutions. Such non-university institutions include: the Max Planck Institutes, the centres of the *Hermann von Helmholtz Gemeinschaft* and of the Fraunhofer Institute, as well as federal and state-level research institutions.

Hence, there are several options for governmental action designed to promote a specific research sector: direct funding made available primarily by the German Federal Government (funding of projects, prompting the establishment of research institutions); recommendations made to DFG; and co-operation with relevant societies and foundations. Indirectly, the universities – which are financed by Germany's state-level governments but which are independent with regard to the establishment and funding of specific departments – can be asked to pay greater attention in future to “new religious and ideological communities and psychocults” when planning the appropriation of their basic budgets and the use of their personnel. However, a more detailed discussion of the concrete steps to be taken in order to implement the Commission's recommendations made below would go beyond the scope of this Report.

In its work, the Enquete Commission was able to rely on extensive literature sources and practical experience, which – taken together – enabled the Commission to analyse the problems associated with so-called sects and psychogroups and to describe political actions required in several problem areas.

Lack of scientific findings can therefore not be used as an argument to justify any failure to act; quite useful data were found, for instance, especially in certain conflict areas in which there was a particularly urgent need for action. On the other hand, the Commission found considerable research deficits in several of the fields which it had studied; these deficits imposed limits on the Commission's ability to describe and analyse problems. In some cases, there were no pertinent findings in international scientific literature; in other cases, Germany lagged behind the international state-of-the-art in science. In yet other cases, the knowledge gained in practice (e.g. by counselling centres and governmental agencies) was not centrally collected, or sufficiently systematised and scientifically studied. Hence, research in this area suffers from shortcomings both structurally and in terms of the subject matter covered (see Chapter 6.2.9).

5 Analysis of specific priority issues

5.1 Forms of social control and psychological destabilisation

5.1.1 Issues

In the following chapter, the Enquete Commission states its views on the question of psychological manipulation. In particular, the Commission seeks to answer the following questions:

- What are the causes that lead to contact with, and recruitment of, potential new members, as well as their acculturation (conversion, attachment) and long-term membership in a conflict-prone community?
- Which of these causes could be described as manipulation of the individual by the groups?
- What forms of manipulation lead to psychological dependency?
- What forms of manipulation should be characterised as immoral or possibly even unlawful?

5.1.2 Problems

There is a major gap between scientific descriptions of the factors seen as likely to cause the above-mentioned processes and everyday experience. This is particularly true of the many reports of individual experiences, as contrasted with scientific pronouncements on the subject. The spectrum ranges from the view that all interactions between the individual and groups perceived as offensive are determined by conscious and deliberate methods of manipulation by the community, to the view that the causes of these interactions and their results are largely a matter of individual discretion and that the group's attempt at influence have no effect. This in turn gives rise to very different views as to the ethics of these kinds of interaction. Roughly speaking, in the public debate on these matters, interaction theories tend on the whole to be contrasted with seduction theories. This is an emotional subject, one that is freighted with value judgements, and people's predilections tend to govern their selection of data; positions are taken that are hard to defend in scientific terms. In scientific circles, there is only minority support for seduction theories.¹²⁷⁾ In part these theories are based on the assumption that manipulative methods of persuasion

¹²⁷⁾ Cf. Saliba, J.A.: *Psychiatry and the Cults. An Annotated Bibliography*, New York, London 1987 and loc. cit.: *Social Science and the Cults. An Annotated Bibliography*, New York, London 1990 and the contributions in the public hearing on the subject of "Psychotechniques" on 14 April 1997 in the Enquete Commission's interim report on "So-called Sects and Psychogroups", German *Bundestag*, 13th legislative period: Doc. 13/8170 of 7 July 1997, pp. 28–31.

can also give rise to abnormal and dependent brain states that are susceptible to physiological diagnosis. More plausible, and supported by a majority of scholars concerned with the problem, is the assumption that it is not methods or techniques, but basic knowledge and the values, ideas and images of human beings and the world it implies and transmits, that matter most, even as concerns the impact of individual “techniques”. Moreover, they see manipulative intentions as depending not only on systems of ideas and values, but on the “dose” that is administered and the accompanying socio-psychological processes, irrespective of the content that is administered.¹²⁸⁾

The processes of acculturation in new religious and ideological communities and psychogroups are comparable with socialisation in other social groups and with educational processes. The difference lies mainly in the massive nature of the influence exerted on the individual, and the deliberate attempt to monopolise his attention.

Any legal judgement of such interactions can only be based on social actions which initiate heterosocialisation and autosocialisation processes for the purpose of generating or perpetuating inner states of mind: Teaching, therapy, training and other measures. Since religious group behaviour is learnt and maintained through the same mechanisms, there is no need for a special theory on sect socialisation. Belief in the efficacy of particular social techniques, procedures or methods presumably plays a larger role in the spiritual sphere, but even in what regards itself as the secular world this phenomenon is not unknown.¹²⁹⁾

So-called ecstatic experiences that occur in connection with meditation can be especially convincing and plausible – experiences of peace, calm, wholeness, or ecstatic experiences in which boundaries are dissolved, “cosmic consciousness”, seeing light, and so forth. Such experiences can occur spontaneously or be methodically induced by certain techniques. Experiences of this kind can be fulfilling and liberating (“peak experiences”), but may also be regressive or destructive, depending on the methods, the individual’s disposition, and the skills of those applying the methods. Although experiences of this kind, while under the influence of a group or doctrine, may develop a momentum of their own and a kind of persuasiveness and plausibility, and although in the event of abusive or improper application, forms of dependency are possible, it is questionable whether the manipulative use of such methods and techniques can indeed lead to socialisation in certain groups (by analogy with the assumptions about “brain washing”).

The potential dangers of social techniques can only be assessed to the extent that we can identify the associated human images, value systems and theories.

¹²⁸⁾ Cf. Interim Report of the Enquete Commission, loc. cit., p. 29.

¹²⁹⁾ Cf. Barker, E.: Authority and Dependence in New Religious Movements, p. 237, in Wilson, B. (ed.): Religion: Contemporary Issues, London 1992, pp. 237–255.

In the course of the Enquete Commission's inquiries, it gradually became clear that people are not so much influenced by the application of specific techniques, rather that there has to be a convergence of influences on different levels, above all socio-psychologically created dependencies and social control mechanisms.

5.1.3 Levels of psychological dependency

The concept of "psychological" or "emotional" dependency is not a technical term used in psychology, although it crops up frequently in the literature on new religious and ideological communities and psychogroups. It is also used in the scientific literature, although the psychological process whereby psychological dependency arises and is maintained must be regarded as unclear. It describes the experiences of people who, seen from the outside, are subject to the strong influence of a group or an authority which appears to be detrimental to them, or who are noticeably lacking in perspective or critical faculty, although both – in the judgement of outsiders – would be appropriate. One way this concept describes such experiences is by analogy with the phenomenon of addiction. This view also suggests comparison with political and family forms of dependency, which are based on the exercise of power, actual or potential.

The usefulness of this term is examined below, and a working definition will be proposed.

Psychological dependency and addiction

Psychological dependency is often compared with the phenomenon of addiction. Addiction consists in a powerful inner need – not amenable to control by the will – regularly to engage in a particular form of behaviour, or to have a particular experience, which is sought or performed in stereotypical fashion. If this behaviour is inhibited, the result is stress, anxiety states, disorientation and possibly hyperactivity or depressive states (i.e. withdrawal symptoms). The readiness to engage in addictive behaviour arises less as a reaction to circumstances than as an inwardly-motivated retreat from the possibilities of self-regulation.

Similarities to psychological dependency in the sense presented here may be seen in the apparently compulsive nature of the behaviour. On closer examination, however, this compulsiveness (e.g. the stereotyped parroting of the group's slogans) turns out to be situation-specific, i.e. it is a way of dealing with people who are perceived as critical or hostile. However, it is less any intrapsychological causes that are crucial here than ways of relating to the outside world that are adopted when joining the group, including their emotional elements. In other words, this behaviour is an integral part of the "group culture", and almost always disappears in the event of deconversion.

Even so, there are numerous examples of particular experiences (auditing in Scientology, ecstatic experiences, meditative contemplation, etc.) which do give rise to quasi-addictive behaviour in certain individuals. Such experiences may be compulsively sought even after withdrawal from the group, although in that case outside the group. It may nevertheless be asked whether this dependence on experiences is an essential part of dependence on persons or the community, or whether it is not rather an individual symptom. In many individual cases, though, there undoubtedly is a resemblance to drug addiction.

For these reasons, the comparison between addiction and commitment to an extremist community can be seen as having only limited validity, and is seen to be clearly dependent on what view is taken of the particular group culture.

In the special case where commitment to the group is maintained not through positive gratification but through fear (of loss of orientation or relationship), it is possible to draw an analogy with addiction.¹³⁰⁾

Psychological dependency and the exercise of power

Rather more plausible than the analogy with addiction is the comparison with other strong and exclusive social bonds. From research on the psychology of groups and from various experiments, we know about the general susceptibility to seduction by a given “group culture”. “Group” is taken to mean a community in which belonging or not belonging is definable. This is what distinguishes them from masses or aggregations, i.e. a fortuitous collection of people. By definition, the group consists of an “in-group” and an “out-group”, of “us” and “them”. Groups are defined not only by the group boundary, but also by the relations among the “insiders”, which are mostly structured by means of particular roles. Every group needs a certain period of time to build up the “in-group feeling”, and to develop positions and roles.

The internal and external relationships of a group are based on the community’s definition of itself. It arises therefore from the group identity, which determines the nature of the members’ relations among themselves and vis-à-vis the outside world.

Normally, a group does not represent an individual’s entire social environment, since he or she will belong to a number of groups which have different functions and are of varying importance. This means that the influence on the individual of any one group is kept within bounds, just as that influence is augmented if the group’s claim on the individual is exclusive and purports to explain the meaning of life.

¹³⁰⁾ Such an analogy is drawn, for instance, by Leo Booth, in “When God becomes a Drug. Breaking the Chain of Religious Addiction and Abuse”, Los Angeles 1991. His phase model and the pattern of addiction on which it is based does not amount to a radical critique of religion, but rather criticises “bad use” of religion which leads to loss of self-esteem and of a healthy relationship with the world.

This must also be borne in mind when evaluating the behaviour of members of extremist groups, before any attempt is made to explain individual behaviour.

The internal and external relationships of groups are based on the structures of their self-definition and on the group's identity as it has taken shape historically in interaction with its surroundings.

Some well-researched properties of groups are important for an understanding of the behaviour of members of extremist communities:

- Groups are more easily impelled to outwardly-directed joint acts of aggression which can be used, looking inward, for the generation of group cohesion and, looking outward, for the generation of enemy images.
- Groups always generate (formal or informal) hierarchies. So far as authority is concerned, the distribution of roles is invariably asymmetrical. One way in which extremist and socially adjusted communities often differ is in the degree to which the influence of higher-ranking members is subject to restriction.
- In groups there is an effect known as the “diffusion of responsibility”, which gives the individual a feeling of shared responsibility. This can have a positive effect in encouraging the individual, but it can also discourage action. The more exclusive the commitment to the group, the stronger this effect is, so that one can speak of a seduction of the individual.
- Groups generate an effect known as “risk shift”. By this is meant that groups help to overcome people's indecisiveness and hesitation. Since risks are perceived as being shared and as insignificant for the individual, the readiness to undertake definite action is the greater. This can have either positive or negative consequences: Negative consequences become probable where high-ranking members of the group exploit the group's disinclination to wait and see before acting in order to push their own interests and to suppress criticism.

Interpretations of the causes of psychological dependency range from the prevention of emotional maturation or emotional trauma earlier in life, to dependency on the basis of complex emotional, social and financial commitments. The common basis of all these interpretations seems to be the individual's inability to distance himself from the community and its overweening self-concept because of powerful unconscious anxieties.

The contribution of conversion research

The formation of a powerful commitment to a group, and the negative consequences this can entail, usually goes along with acts of conversion, which in these groups is often firmly institutionalised or at least socially expected, and in which the convert assents to and adopts the particular structures that embody the group's claim to plausibility.

Scientific literature identifies four sets of factors that contribute to conversion:

- propitious factors in society,
- demographic and life-cycle factors,
- factors associated with the convert's own disposition,
- factors potentiated by recruitment efforts, manipulation and deception on the part of the groups.

As already mentioned, the relative weight to be attached to these factors is hotly disputed, and opinion is sharply divided between those who place the emphasis on personality characteristics and those who believe that dependency is induced by manipulative techniques. The former see the (positive or negative) coping with conflicts made possible by the intense relationship with a group, the latter regard the relationship itself as the expression of a psychosocial disorder.

However, the question whether converts willingly embrace dependency or are made dependent cannot be clearly answered one way or the other. There is obviously an interaction here between individual personality and the influence of outside factors: Only this explains the establishment of these intense relationships.

The findings as regards personality factors are not clear-cut, and the following points are under discussion:

- depressive moods, including feelings of meaninglessness and homelessness,
- bad personal and family situations, severe personal crises,
- social decline, unemployment, the sense of having no prospects in life,
- religious models used to explain problems, religious patterns of behaviour,
- external “locus of control” (attribution of causality to others, dependence on the judgement of others),
- narcissistic personality structure,
- drug problems.

It is interesting that most studies have found idealistic or religious motives to be of rather small importance. By and large it is motives fed by difficulties of intra-psychological and interpersonal existence that predominate. The studies also agree that, despite this, we are not here dealing with a particularly disturbed group of persons, rather that the problems they encounter largely reflect average experiences. The conclusion remains that people's willingness to forge an intense inner bond with extremist, closed communities often has to do with efforts on the part of converts to cope with emotional instability and/or precarious social situations.

The fourth set of factors conducive to conversion, those having to do with the behaviours and properties of groups, only come into play in the situation of the actual encounter.

The important factors are:

- the persuasiveness and trustworthiness of the recruiter,
- recruitment by reference individuals or the establishment of positive relations with followers,
- effective techniques for inducing dependency.

The question whether it is possible to induce an intense commitment to a group through manipulative recruitment – relatively independently of individual predisposition – is answered affirmatively in some theories. In fact, however, most of the control methods identified in this connection are those that are found in any group or community. Measures that are manipulative in the specific sense of setting out to weaken physical and mental resistance and to reduce the critical faculty are found in widely differing degrees in different groups, and in some extremist groups are not found at all.

As concerns the actual process of conversion, most authors agree that it consists of three phases. The first involves a concerted effort to destabilise and disorientate the subject. In the second, the person is presented with a new attractor, i.e. a new system of ideas. In a third phase this new mind-set is stabilised. The existence of these three phases can easily be demonstrated experimentally by studying the attribution of meaning to perceptions and the way this attribution of meaning changes. The process that operates here is a perfectly natural and frequently recurring one. The necessary destabilisation, for instance, can be induced by giving people the idea they are not fully developed, that they are disturbed, that they must do something about themselves. In the second phase they learn what the new system of ideas means, with its own special language, while in the stabilisation phase they are isolated from the social environment the moment they become unsure or start to be critical. This three-step process crops up again and again, and is very well known in psychology as one way of influencing people's minds; in many cases it obviously works to perfection.¹³¹⁾ Among these models of dependency are some that are specifically "religious" – or, if they appear in "non-religious" contexts, can turn the latter into "religious" ones.¹³²⁾

Manifestations of psychological dependency

Generalising on the basis of the published experience reports, we may identify the following components of the concept "psychological dependency":

- lack of distance vis-à-vis the community, lack of will, apparent compulsiveness of behaviour, forms of behaviour that are alien to the personality (measured against the expectations of outsiders),

¹³¹⁾ Cf. the remarks by Prof. Stadler in the Enquete Commission's public hearing on "The situation of children and adolescents in so-called sects and psychogroups") on 13 March 1997, Interim Report of the Enquete Commission on "So-called Sects and Psychogroups", German *Bundestag*, 13th legislative period: *Bundestag* Doc. 13/8170 of 7 July 1997, p. 19ff.

¹³²⁾ Barker, E.: loc. cit., p. 237.

- limitation or loss of previously possible or actual reality-testing,
- everyday activities are largely controlled from outside, measured against normal forms of influence,
- financial, temporal and sexual exploitation (again measured against demands in such areas normally made on other people,
- stereotyped reactions when communicating with outsiders on the subject of the community to which one belongs, in particular the inability to criticise one's own community,
- the erection of strict truth boundaries vis-à-vis former reference persons (parents, other relatives), and in other relations with outsiders,
- reduced importance or even suspension of generally applicable moral principles,
- external attribution of causality within the group's perceptual framework, where this appears implausible to outsiders (e.g. attributing the roots of all conflicts to the group's "enemies"),
- unusual conformity among the followers, measured against the customary range of behaviour and dispositions of ideological communities,
- marked veneration of authority figures, personality cult.

As a working concept, "psychological dependency" is proposed for the state of affairs where an individual has formed an unusually strong and unusually exclusive bond, notably or even predominantly driven by anxiety, with a community which on grounds of religion or ideology exerts an extensive or even exclusive influence on the general orientation and everyday life of its members.

The difference between this and other asymmetrical power relationships – which in principle are to be found everywhere – lies in the fact that psychological dependency on an extremist group is characterised by a powerful fear of loss and the longer-term mental and behavioural consequences of this fear.

It should be noted that there is an implicit cultural judgement in the identification of dependency in these terms, i.e. the notion that the observed bond is inappropriately strong, that it is harmful for the persons concerned, and that it can be misused for immoral purposes.

5.1.4 Religious dependency

The Enquete Commission awarded a contract for an expert report to answer the question "What are the characteristic features of religious dependency?"

The resulting report presented by Burkhard Gladigow (assisted by Alexandra Gieser) asks the question – irrespective of the general, psychological, socio-psychological or group-dynamic discussion of new religious groups – to what extent and in what way specifically religious forms of dependency can be addressed. The report comes to the following conclusions:

Although the history of religion since Schleiermacher has defined religion in terms of a devout feeling of dependency, systematic comparative religion has dealt with specific forms of religious dependency only in a fragmentary manner. Descriptive terms like dependency, submission, obedience, bondage, surrender and their evaluation as a rule depend on whether the respective religious frame of reference is approved and accepted, or not. The religious history of blind obedience shows the extent to which – outside the current “problem of sects” – absolute submission to the command of others can become a religious maxim. On closer examination, however, there is no single criterion which can reliably differentiate religious dependency from other kinds of dependency.

The author which comes closest to a specific treatment of the subject is Eileen Barker, a sociologist of religion.¹³³⁾ She takes a clear stand against so-called sect criticism, arguing that dependency is induced in the same way and to the same degree in other areas of society. Although she adopts a broad definition of dependency, in so doing she denies the existence of a specifically religious dependency. Admittedly, she lumps together patterns and motives which lead on to structures and modes of dependency: Motives for and expectations of conversion, the ratio of new entrants to drop-outs, claims about interpretation, “heavenly deception”, techniques of suggestion, guilt and shame, group jargon, economic and social dependency.

The most direct treatment of the problem of religious dependency is that of Leo Booth. He establishes a parallel with known forms of addiction, and draws up a catalogue of the symptoms of religious dependency. Case studies of these symptoms show, however, how closely modelled they are on the conditions of the Christian denominations and their theologies. His purpose is to define religious dependency as a sickness, and to help liberate the sufferer from an abusive, obsessive use of religion, a process that is seen as leading to a new friendship with God as the expression of a healthy spirituality. This definition of religious dependency in terms of the addiction paradigm reduces a highly complex orientation deficit to a physiologically defined withdrawal model. However, more satisfactory concepts that would be broadly applicable are not currently to be found in literature.

As far as the genesis of so-called dependency is concerned, the relevant conversion models are primarily those which, beside the steps from initial

¹³³⁾ Loc. cit.

approach to full involvement, also take account of the progressive establishment of religious bonds and their structures. Compared with older models of conversion, since the seventies it has come to be accepted that there is a conscious involvement and active influence on the part of the person seeking to convert. Research based on these more open-ended models looks in the broadest sense at the meanings people attach to their behaviour. This has introduced a new dynamic which allows for a subtle shift of perspective on the part of the convert towards the interaction between predisposition and the actual situation. In the dialectics between chance situation and recruitment strategy, there is a dilemma between the “force” of the particular doctrine and the likelihood of achieving conversions. The report concludes that in order to resolve this dilemma, potential members are made “dependent” gradually, in a process of cautious introduction. So much for the findings of the expert report.

It should of course be borne in mind here that there obviously are people who seek situations and relationships which, seen from outside, would have to be characterised as conducive to psychological dependency. In such cases the religious tenets of the group correspond to people’s individual needs.

5.1.5 Levels of social control and manipulative elements

The manipulation of individuals by groups is amply documented. However, such manipulation seems less to cause the interactions as such (first contact, conversion, acculturation, etc.) than to influence the interactions along the lines of the group objectives and group rules. A distinction may be made here between:

- conscious and deliberate manipulation (methods),
- manipulation through pressure for social conformity,
- self-manipulation for the purpose of adaptation.

These last two forms of influence are a general part of reorientation and acculturation processes, or the phenomenon of day-to-day social control.

In using the concept of social control, however, it must be noted that all paradigms regard it as an instrument for producing social order, not as a reaction to deviance. Moreover, there is no theory that interprets “social control” as a mechanism of compulsion against which there are no alternative actions.¹³⁴⁾ On the other hand, it must not be forgotten that there are psychological techniques

¹³⁴⁾ Cf. Hahn, K.: Soziale Kontrolle als soziologischer Grundbegriff. Klassische und neuere Theorien revisited, p. 273. In: Kriminologisches Journal 28 (4, 1996), pp. 261–280.

which make harsh social control possible and in regard to which there are few alternative actions possible.¹³⁵⁾

Thus, the milieu control identified by Hassan¹³⁶⁾, consisting of behavioural control, mental control, emotional control and information control cannot, in every case and as a matter of principle, be characterised as “manipulative”. Control of these areas of action is an inevitable component of social interactions in a group or community. The social control that is always associated with intense commitment to a group must therefore be clearly distinguished from the exertion of intentional, methodical influence for the express purpose of manipulation.

How the results of social control are judged in psychological and moral terms depends on what view is taken of the “group culture” from which it arises and whose active perpetuation it seeks. If for instance an exaggerated claim to authority by the leadership produces a situation where questions and criticism are generally not possible, the group’s “social control” of the convert means that the latter sees himself confronted with a ban on thought and speech, which may be compensated for by excessive commitment. However, this is not an

¹³⁵⁾ In the context of so-called total institutions such as penal colonies, the ways in which individuals express themselves can be more comprehensively controlled by a totalitarian organisation so as forcibly to re-educate them to a different personality, one that suits the organisation’s purpose. Manipulative social control, misusing psychological knowledge of human reactions, can push people to the point of psychophysical breakdown. Such abuse of methods for modifying behaviour, in flagrant breach of human rights, has been the subject of research in human sciences under the concepts “torture psychology” and “brainwashing”, or – in milder forms – the concept of “mobbing” (“harassment”). The repertoire of hard manipulative control measures includes the generation of physical and mental stress through harassment, overstimulation, or the complete withdrawal of stimuli (“sensory deprivation”). Prolonged sensory deprivation alone can produce acute psychological disorders (hallucinations) and make the victim receptive to indoctrination (“brainwashing”). Working people to their physical limits, sleep deprivation and food deprivation are other means of wearing down the natural resistance to indoctrination. According to studies by the Canadian sociologist St. A. Kent, who described his work to the Enquete Commission, the Scientology Organisation uses control techniques of this kind in its corrective institutions known as “Rehabilitation Project Force” (RPF) in order to socialise recalcitrant members of the so-called Sea Org (“Brainwashing in Scientology’s Rehabilitation Project Force (RPF), 1997”, Internet address: <http://www.lermanet.com/brainwashing.htm>). The Scientology Organisation’s former top executive in the USA, L. Wollersheim, was awarded damages of US\$ 2.5 million for damage to health sustained in the RPF (Court of Appeal of the State of California, decision of 18 July 1989, ref. B O 23193/ASC (No. C 382827). A former member of the so-called Sea Org gave the Enquete Commission a credible account of his degrading treatment in a European RPF. The criminologist Chr. Schwarzenegger describes how the Japanese organisation Aum Shinrikyô forced its members to meditate 16 to 20 hours a day for several days in succession, during which they suffered food and sleep deprivation (ibid.: *Über das Verhältnis von Religion, Sekten und Kriminalität. Eine Analyse der kriminologischen und strafrechtlichen Aspekte am Beispiel der japanischen Aum-Shinrikiyô-Sekte*, in: *Sekten und Okkultismus – Kriminologische Aspekte*, ed. by Bauhofer, St./ Bolle, P.-H./ Dittmann, V. (Schweizerische Arbeitsgruppe für Kriminologie), Chur, Zurich 1996, pp. 211–276). On the application of hard manipulative social techniques in the business world, see Chapters 5.3.4 and 5.3.5.

¹³⁶⁾ Hassan, St.: *Ausbruch aus dem Bann der Sekten*, Reinbek 1993, (English: *Combatting Cult Mind Control*, Rochester 1988).

intentional method of manipulation; instead, it is an attempt to draw the individual into the group culture. Hence, any criticism must first and foremost be directed at the group culture.

On the other hand, planned and purposeful methods of manipulation in the narrower sense do at least tend to run counter to the basic values of our social order, in that they seek to push “milieu control” to the point where the individual’s freedom is substantially curtailed or even destroyed.

However, in this area too it is not possible (except in extreme cases) to identify cause-effect relationships independently of the biography, the personality and the social situation of the candidate.

All reprehensible methods such as excessive meditation, deprivation of sleep and food, endless indoctrination within the group, “love bombing”, etc. depend for their effect mainly on the personal characteristics of the individual concerned. Beyond this, the effect is substantially determined by the intention of the persons or groups exerting the influence. For instance, do they mean to use the suggestible state induced by sleep deprivation to bypass reasonable objections, or not?

These intentions, again, depend on the group’s system of ideas and values, not on its methods. Besides, their effect is more strongly dependent on the “dose” than on the agent, as is often assumed. With increasing integration into a group and dependence on a leader figure, there may be a sort of progressive undertow which can further amplify the individual’s existing predisposition towards compulsive repetition and an increase in the dose (“more effect”).

5.1.6 Potential dangers

In summary, the element of danger is to be seen mainly in (a) a complex combination of aggressively invasive methods and techniques, (b) their unprofessional application,¹³⁷⁾ (c) precarious elements in the particular group culture or group organisation, and (d) individual predisposition.

- a. Harmful effects cannot with certainty be associated with a specific technique. Any effective method of altering consciousness entails risk; this is true of directive psychotherapy and other scientifically evaluated psychotherapeutic procedures, just as it is of other methods which are offered on the market. An effective method is also going to entail risks, a method with few “side-effects” will as a rule produce few effects of any kind. So no conclusions about potential dangers can be drawn on the basis of the method alone,

¹³⁷⁾ Cf. the remarks by Prof. Klosinski on the particular need for prudence when using such techniques with children, in the public hearing of experts on the “Situation of children and adolescents in so-called sects and psychogroups” on 13 March 1997, Enquete Commission’s Interim Report on “So-called sects and psychogroups”, German *Bundestag*, 13th legislative period: Doc. 13/8170 of 7 July 1997, p. 23.

although some methods are certainly more effective than others, a fact which is naturally useful for psychotherapy, personality development, etc.

- b. Of greater interest is the question of the qualifications and the seriousness of those applying the techniques, i.e. their training, professional experience and skills, for example, in running groups. There are many practitioners in the market, frequently applying techniques which they have developed themselves and using titles which they have awarded themselves. Of course, it has to be recognised that psychotherapy today is not yet an integrated field and is still very much dependent on developments which thus far have arisen in a creative sub-culture, if one thinks, for example, of gestalt therapy, psychodrama, certain systemic approaches, etc. Trying to limit the use of psychologically effective techniques exclusively to doctors or psychologists would be pointless, since such techniques are often successfully applied in social work, teaching, supervision, theology and religious ministry. The market seems too broad for the adoption of compulsory standards for practitioners to be feasible at this time.
- c. There appears to be a more serious potential danger from organisations within which certain methods are applied. If organisations succeed in inducing a potential for dependency, then certain techniques, through their longer-lasting effect and influence, can also have more intensive or more harmful consequences. So, a question which has to be systematically asked is: How dependent and submissive does an organisation make its members, and with what means does it seek to achieve this? How strongly does it dominate and exploit its followers? According to the available clinical experience, the effects of group pressure and moral suasion are far greater than those of any particular method. The criteria developed by the German Association of Psychologists for judging “destructive cults” offers pointers to the evaluation of the potential danger that certain structures can represent. However, it must be recognised that other kinds of authoritarian education with a religious background, in which for example attendance at services and prayer are exacted by force, have consequences similar to those of dogmatic communities or groups. The potential impact of these groups is substantially greater than that of most psychogroups.
- d. The crucial criterion, at least from the clinical viewpoint, is the personality structure of those who participate in a particular group or measure. A sick or unstable person can decompensate more easily if excessive psychological stress is put upon him. Here, the following four factors obviously operate together:
 - a sick or weak personality,
 - the scope and effectiveness, i.e. the intensity of the method,¹³⁸⁾
 - the totality and the group pressure of an organisation, and
 - the qualification and seriousness of a practitioner, and his inclination to exploit the situation.

¹³⁸⁾ See also Chapter 3.5.3.b.

In view of the situation, whose complex interplay of factors has so far made it opaque and difficult to grasp, there is need for research, especially as concerns the epidemiological aspects. General judgements in this area have as a rule been based on conspicuous individual cases. How often psychologically effective knowledge or mind-altering techniques or measures are actually applied is something for which there is no epidemiologically useful knowledge that would make it possible to substantiate or refute the general validity or inappropriateness of existing judgements.

Further questions to be followed up in this connection would be to what extent which parts of the population take part in what psychologically effective functions apart from the health service and the counselling dispensed by public or Church bodies, or apply these in a self-taught manner, what motives there are for this, what positive and negative experiences people have, how wide is the specific area of religious and ideological communities and psychogroups, what are the side-effects of psychologically effective techniques, what (typical) disorders and crises may arise, and what help is appropriate in such cases.

It is only on the basis of interdisciplinary research involving sociology, psychology, psychiatry and possibly other areas that rational guidelines for dealing with this subject can be formulated, the potential dangers delineated, and possibly also legal constraints placed on potential abuse.

5.1.7 Interim summary

The outwardly perceived modes of behaviour and thought which are described as “psychological dependency” on an extremist religious or ideological community may be academically defined as the consequence of an unusually intense commitment by the individual to a community which, through its exclusive self-definition as the authority presiding over meaning and values and through the hierarchical power structures that express this self-image, exercises a high degree of social control, generates a high degree of antagonism towards the outside world, and demands heavy investment of time, money and services to the group and its leadership.

A series of scientific studies already available or commissioned by the German *Bundestag* suggest that there is a close connection between the life orientation or personality of individuals and the offers made to them, and the demands made on them, by the communities to which they turn. It is also clear that intrapsychological and/or social instability is an important factor in all acts of biographical reorientation. That is why the interactions between individual and community appear as part of a search and adaptation behaviour that can be neither induced nor replaced by psychological manipulation on the part of the group, but which may well be controlled by it. The readiness to undergo reorientation and to tailor one’s personality to fit the group are not the result of group influence alone, but also of biographical and social factors.

Conversely, however, it is not true to say that certain personality characteristics necessarily lead to interaction with a given group, or that because of this the individual's life takes the best possible course. It is rather the case that, for most of those concerned, there are numerous ways in which they could change the direction of their lives, many of which from a psychological and educational perspective would open up better development possibilities and more effectively avoid dangers than commitment to a radical community that is likely to be a source of conflict.

5.1.8 Opportunities and need for governmental interventions

In present circumstances and given the available data, it is not possible to establish a clear distinction between immoral, illegal methods and justifiable, lawful methods by drawing up a list of types or procedures. Extreme forms are already covered by criminal law (coercion, unlawful detention, bodily injury, usury, etc.).

The concept of psychological dependency as a so-called inner fact cannot as a rule be used as a criterion for justifying action by the authorities. In a democratic state the point of reference is social actions. Only those acts that systematically seek to induce certain internal states may become the subject of action by the authorities: teaching, therapy, training, etc. Any concomitant personality changes, whether intended or unintended, are very much a matter of value judgement, and do not lend themselves to definite classification from some "Archimedean point". Just as certain therapies regard deliberate destabilisation as a prerequisite for change, so in the practice of meditation spiritual crises are seen as necessary for personal growth.

There would need to be a consensus among professionals for any assessment of the associated socialisation processes, or therapy ethics that would place limits on intentionally induced personality change. All one can do here is to rank the methods of influence in order of increasing risk, depending on how likely they are – by analogy with psychotherapeutic or medical procedures – to change an individual's personality structure, identity, behaviour patterns, emotions, etc. From the standpoint of the authorities, the assumption must be that as the risks inherent in the practitioners' "manipulative" methods increase, so does their responsibility for the consequences. This responsibility is again to be judged by analogy with the precautionary measures held to be necessary in medicine and psychotherapy.

At the Enquete Commission's public meeting on the subject of "Psychotechniques" held on 14 April 1997, reference was made to such a responsibility in the form of an obligation to warn of "side-effects". This became part of the proposals for legislation on life-counselling services, which is dealt with in a separate chapter, which is simply mentioned here in passing.

Reference was also made at the hearing to the possibility of “protecting individuals against their own weaknesses”. This too was taken into account and incorporated, in the form of the individual’s right of withdrawal. In closed groups, thought might be given to the establishment of novitiates such as those in use in monastic communities. It has to be ensured that everyone is free to withdraw from such a community on fair terms.¹³⁹⁾

The demand for licensing of psychotherapists’ activities has already taken shape, in the form of the new Act governing the activities of therapists. The extension of the scope of application of this Act to include life-counselling and personality development services, which was also called for at the hearing, has also in part been implemented in the draft legislation on life-counselling services already mentioned.

Establishing a clear distinction between these concerns and the areas of education and training, a problem also touched upon at the hearing, could prove to be a tricky undertaking inasmuch as measures containing elements of personality development are more and more frequently found even within the traditional further education sector and are also being explicitly requested as such.¹⁴⁰⁾ But it is not only the demands for therapeutic methods for “normal” people,¹⁴¹⁾ put forward primarily with executive personnel in mind, but also the notions of “life-long learning” as a necessity for all employees – not just on the level of technical qualifications, but also behavioural control – that in part help to convey the readiness for life-long auto- and heterosocialisation.

Against the background of a possibly large grey area between training and personality change, and the – in principle – social and economic desirability of a far-reaching readiness for psychological mobility as well, establishing such a line of demarcation promises to be rather difficult.

5.1.9 Ethical standards, voluntary commitments, (moral) appeals

A metatheoretical critique of interventions in an individual’s development which employ (quasi-) therapeutic as well as “spiritual” elements has to recognise that the assessment of such “treatments” according to the criteria “healthy” or “unhealthy” depends mainly on the social recognition of the therapeutic methods used or of those who practise them.

Judgements as to the usefulness of “spiritual” elements in therapeutic practice cannot be made by the government. Given that there is in general no consensus as to the usefulness or harmfulness of therapies, there is a dispute here that cannot be resolved by the government alone. Beyond a purely “moral” appeal

¹³⁹⁾ Cf. the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, BGBl (Federal Law Gazette) 1952 II, pp. 685, 953, as amended by Protocol No. 8 of 19 March 1985, BGBl 1989 II, p. 546.

¹⁴⁰⁾ Cf. Neuburger-Brosch, M.: Die soziale Konstruktion des “neuen Managers”. Eine wissenssoziologische Untersuchung der Managementdebatte in den achtziger Jahren, Tübingen 1996, p. 222.

¹⁴¹⁾ Ibid.

to the parties at issue, the government can recommend the development of self-imposed rules concerning the application of certain sorts of knowledge. But where therapeutic procedures may present a danger to health, the government is called upon to take preventive action.

The development and promotion of a general ethics of therapy as a common point of reference for the dispute between proponents of the main conflicting views, as well as for the parties to particular conflicts, falls into the category of institutional recommendations.

5.1.10 Institutional recommendations

Recommendations addressed to the societal institutions concerned, as already proposed in the decision setting up the Enquete Commission,¹⁴²⁾ and to others yet to be created, could – in addition to the measures already mentioned – envisage a (more) regulated approach to dealing with ideological disputes, or they could also be aimed at achieving (out of court) settlements of concrete conflicts.

Already existing proposals speak of “mediation institutions” which might be set up in view of a possible increase in religiously motivated conflicts. Membership or non-membership could also be developed into a stamp of quality as to whether the members are abiding by certain social rules of the game or not.

On the basis of particular disputes, a pre-trial meeting of the parties might also be considered, with a view to material and ideological arbitration.

Both in the form of the *Arbeitsgemeinschaft christlicher Kirchen* (Association of Christian Churches), and in the mediation increasingly practised in divorce cases and in the so-called “perpetrator-victim compensation” in criminal law, there are already working institutions and procedures available which might possibly be made use of for the further development of these proposals. Since these ideas will be included in the draft the establishment of a foundation, we do no more than make reference to them here (see Chapters 5.5.5.1 and 6.2.2.1).

The same applies to promoting the development of a general ethics of therapy.

5.1.11 Recommendation to fund research aimed at shedding more light on the issues at stake

In the field of education and further education, research in appropriate institutions should be specifically promoted, since certain trends like the pressure for “life-long learning” favour a proliferation of the services, some of them disreputable, being offered in the field of personality development and personality

¹⁴²⁾ Cf. German *Bundestag*, 13th legislative period: *Bundestag* Doc. 13/4477 of 26 April 1996, p. 3.

modification. In addition, companies increasingly organise further education courses for their employees; this will also lead to a redistribution of the power to define the content available in this particular field of education.

Since in both relative and absolute terms most further education measures fall into the category of further vocational education, a complete abstention by government from exercising its power to set standards would also have an impact on society which would go far beyond the bounds of corporate organisations.¹⁴³⁾

Since people in positions of executive authority are a particular target group for the sale of social techniques¹⁴⁴⁾, quantitative and qualitative knowledge about the effects on corporate culture, and the way power is exercised and maintained within a company in the aftermath of personality and management training would also be desirable.

Further research in this area should go beyond the impressionistic and anecdotal, and establish whether the corporate context is deliberately sought out by certain groups or service providers, exploiting its special conditions for their recruitment strategies.¹⁴⁵⁾

5.2 Children and adolescents in new religious and ideological communities and psychogroups

5.2.1 Background

The family, or the new living structures that are emerging as the family changes, is the place where children are cared for and educated by the parents or the central reference persons, on the basis of a fundamental emotional bond that encompasses the whole person. This is basically what distinguishes the family from all other institutions of the educational system, in which – as a rule, and subject to the practical constraints of individual autonomy – only parts of the person are the subject of education, or where instruction, training or counselling are involved, in a more specialised and less intimate relationship. But even here the family still performs the central task of “releasing” children, and especially adolescents, for these expanding and transforming experiences, supporting these experiences and making them possible.

Imparting and passing on values, beliefs and religious conceptions to the next generation is thus a key function of the family or family-like structures and of the milieu in which they are embedded. The handing down of religious ways of life is

¹⁴³⁾ Cf. Kühnlein, G.: “Verbetrieblichung” von Weiterbildung als Zukunftstrend? Anmerkungen zum Bedeutungswandel von beruflicher Weiterbildung und Konsequenzen für Bildungsforschung. In: *Arbeit* 6 (3, 1997), pp. 261–281.

¹⁴⁴⁾ Cf. Schmitz, E.: *Leistung und Loyalität. Berufliche Weiterbildung und Personalpolitik in Industrieunternehmen*, 1st ed.: Stuttgart 1978, p. 45f.

¹⁴⁵⁾ Cf. Poweleit, D.: “Die Anfälligkeit von Führungskräften für esoterische Lehren”, in *Organisationsberatung – Supervision – Clinical Management* 2 (3, 1995), pp. 278–287.

therefore not a problem as such. The teaching of “dissenting” religious views and beliefs – i.e. views and beliefs that are different from those of the established national Churches – can also not be seen as problematic, given the growing pluralism of religious and non-religious world views. On the contrary, respect for and recognition of pluralist, culturally heterogeneous life-styles and world views is an inescapable component of a post-traditional ethics of the recognition of diversity.

An upbringing or education based on preconceived religious and ideological notions – like any other kind of notions – can thus be a source of conflicts and difficulties only by reason of its specific contents, the specific standards and values that are transmitted, the way children and adolescents are required to be treated, the encroachments, the harm, the cruelty and the abuses that are committed in the name of religious education. The references here are the basic provisions of Section 1 of the *Sozialgesetzbuch VIII* (SGB – German Social Code) (SGB VIII: Welfare of children and adolescents): “(1) Every young person has a right to be assisted in his or her development and to be brought up to become a responsible and viable member of the community. (2) The custody and upbringing of children are the natural right of parents, and their paramount duty. The community in the form of the authorities watches over their actions.” Intervention by the authorities, i.e. the exercise of the government’s supervisory function, in the sense of “assistance with upbringing or education” (Section 27 SGB VIII) or “the taking into custody of children and adolescents” (Section 42 SGB VIII) ensues “if an upbringing or education conducive to the welfare of the child or adolescent is not guaranteed and assistance for his development is appropriate and necessary” (Section 27, 1) or “if the child or adolescent asks to be taken in custody” (Section 42, 2) or “an imminent threat to the welfare of the child or adolescent requires him to be taken into custody” (Section 42, 3). The point of reference here is the aversion of a threat to the child’s physical, mental and emotional welfare, which is grounds for the withdrawal of the right of custody (cf. Section 1666 German Civil Code). Attempts by the parents to explain, legitimise or justify the inflicting of physical, mental or emotional harm are as a rule irrelevant here. Even where parents invoke the freedom to practise their religion, harm to a child’s welfare cannot be thereby legitimised.¹⁴⁶⁾

In assessing the impact of actions that are detrimental to the “welfare of the child or adolescent”, including those whose effect is to hinder educational, developmental and individualisation processes, considerable problems of diagnosis and assessment generally arise, particularly as concerns the more subtle mental forms of such action.¹⁴⁷⁾ These problems in diagnosing the incidence and milieu-specific distribution of abuse of minors are particularly marked in the case of new religious and ideological communities and psychogroups. At the

¹⁴⁶⁾ Cf. inter alia the account of existing case law in the Annex, Part A, on working party 4 in the Enquete Commission’s Interim Report, *Bundestag* Doc. 13/8170, p. 105 ff., and the account of the hearing of legal experts on the situation of children and adolescents in new religious and ideological communities and psychogroups, Interim Report of the Commission, *Bundestag* Doc. 13/8170, p. 24 ff.

Enquete Commission's hearing of psychologists and educationalists there was near-unanimous agreement that the diversity of groups, and the state of research into the situation of minors in such milieus, are not such as to allow any reliable conclusions to be drawn. Thus, there is no cogent reason to assert that adolescents growing up in new religious and ideological communities and psychogroups are in general at any greater risk of falling victim to physical or mental ill-treatment than in other environments. The ideal, that children should be enabled to become independent, must not lead to government control of the autonomous individual. That would produce a situation where conventional and traditional ways of life which pursued other educational ideals could be declared as deviant and subject to regulation by the authorities. Parents' educational attitudes may insufficiently promote or even prevent a child's autonomy, but that is something found in the most diverse educational environments and is in no way a unique feature of "sect childhood" or of families in new religious and ideological communities and psychogroups. The impression must therefore be avoided that it is only new religious and ideological groups that practise "child-rearing for dependency".

Therefore it cannot be assumed that the generality of new religious and ideological communities and psychogroups espouse highly problematic views about upbringing and education and engage in practices that are damaging to the intellectual, emotional and physical well-being of children and deny their autonomy.¹⁴⁸⁾ At most, it may be supposed that there is a potential for harm, but it would have to be specifically examined and identified in each individual case.¹⁴⁹⁾

5.2.2 Conflicts and approaches to coping with conflicts in new religious and ideological communities and psychogroups, as compared with the principles of modern life-styles

Attitudes toward the upbringing of children in religious and ideological communities are more often than not at loggerheads with the principles of modern life-styles that are needed for coping with the socio-cultural demands of Western society. The onward march of modernity and the associated cultural disruption do

¹⁴⁷⁾ Cf. the detailed account in Part B of working party 4 in the Enquete Commission's Interim Report, *Bundestag* Doc. 13/8170, p. 94 ff.

¹⁴⁸⁾ On the inevitable tension between the reconstruction of individual cases and a subsuming typology, which professionals must have to hand if they are not to increase the ever-present risk of "malpractice", see the paper in Dewe, B. et al.: *Professionelles soziales Handeln*, Op-laden 1992 and in Combe, A./Helsper, W.: *Pädagogische Professionalität*, Frankfurt 1996. The second and perhaps even more serious danger inherent in such a generalising typology is that it may give rise to or exacerbate social stigma: Parents who belong to the "sects", religious communities or "so-called psychocults" are child abusers. This can contribute to a hardening of social fronts, a negative stereotyping of specific milieus, and ultimately to a sharpening of the conflict among discrepant life-styles which can only make life more difficult for the milieus and families thus stigmatised.

¹⁴⁹⁾ Cf. the discussion between Klosinski, G. and Gehentges, U., in: Informations- und Dokumentationszentrum Sekten/Psychokulte IDZ (ed.): *Auserwählt oder ausgeliefert? Kinder in Sekten und Psychogruppen*, conference documents, Cologne 1996, p. 27 ff. and 52 ff.

indeed present considerable difficulties for traditional religious ways of life. Attempts to cut oneself off from the outside world or “fundamentalist”-sounding attitudes may also represent an effort to cope with these stresses of modernity. Destabilisation and the dismantling of tradition can surely lead people to seek new bonds and new sources of security as a counterbalance to the uncertainties of an open-ended life in which they must take responsibility for themselves. These attempts at coping should in no way be judged in one-dimensional terms as being deficient or problematic, as compared with the usual tenets of modern living. Instead, it should be recognised that these life-styles also provide scope for development and stabilisation, which make it easier to bear the strains of social expectations in modern life (cf. also Chapter 3.1).

This conflict-prone dichotomy with the principles of modern life, which at the same time provides coping options, can take a variety of forms which, without being exhaustive, can be briefly outlined as follows:

- a. It may take the form of a guilt-based and punishment-oriented demand for ascetic attitudes that are hostile to pleasure and the body, which are at odds with cultural and experiential emancipation, yet at the same time may open the way to a clearly-structured and binding moral order. For adolescents, this can mean being raised in a milieu marked by compulsion, guilt and bashfulness, but – provided the parent-child relationship is emotionally secure – it may also create areas of socialisation that provide structure and security.
- b. There may be forms of dependency and subservience vis-à-vis religious teachers and preachers which reach into the very details of daily life, but which also – along with the restrictions – afford a measure of relief from the demands of autonomy, individual living and decision-making (cf. Chapter 3.1). This can make individualisation processes more difficult for adolescents, if steps towards becoming independent must always depend on the consent of an absolute authority. On the other hand, adolescents growing up in a communal situation may encounter persons they are able to idealise, and this in turn can be important for the development of an individual’s ego.¹⁵⁰⁾

¹⁵⁰⁾ It is not possible to address the complex question of whether adolescents need authorities and models to form their identity, whether their absence creates severe problems for ego development, or whether overly powerful authority figures do not rather represent a threat to the formation of identity. The fact is that in the Federal Republic of Germany there has been a sharp decline over the past four decades in the extent to which adolescents look to models. Fewer and fewer adolescents admit to having any model at all. In 1993 only 47 per cent of ten to thirteen year olds said they still had a model. This means that so far as looking to models is concerned, children are now on the level of fifteen to twenty-four year olds in the mid-fifties, whereas by 1984 only 19 per cent of this age group still had a model. Modern adolescence seems almost to be characterised by a “model taboo” and a high regard for autonomy. At the same time, the social location of models is shifting: Models from the immediate social circle (e.g. parents) are constantly receding, while models from further afield in society, usually communicated by the media, are taking centre stage, in the form of idols (Cf. Zinnecker, J.: *Jugendkultur 1940 – 1985*, Opladen 1987; Zinnecker, J./Stecher, L.: *Haben Kinder heute Vorbilder?* in: Zinnecker, J./Silbereisen, R. K.: *Kindheit in Deutschland, Aktueller Survey über Kinder und ihre Eltern*, Weinheim/Munich 1996, pp. 195–213). For the general discussion on role model, authority and autonomy, cf. the study by Sennett, R.: *Autorität*, Frankfurt/M. 1985.

- c. It may also take the form of an exaggerated espousal of modernist notions – determination, self-assertiveness, profit-orientation – which can become significant as an educational goal even when dealing with children. In a way, such attitudes are entirely in keeping with the demands on children and adolescents that are now prevalent in society. Problems arise where this leads to the loss of compensating areas of emotional stability even for children and adolescents. It is true, of course, that structurally similar problems also arise in worldly milieus, where considerations of status and success – salvation through upward mobility, as it were – determine the way parents go about bringing up their children. Adolescents may then turn to the new religions as one possible source of relief – a “re-sacralisation” of the ego as a reaction to its comprehensive “de-sacralisation”.¹⁵¹⁾
- d. Contemplative attitudes may be observed, a turning away from the world that is antithetical to the principles of an active, responsible life. The result may be that in dealing with children and adolescents too little importance is attached to the need for independence and an active life-style, so that they are insufficiently prepared to cope with the demands of modern society. At the same time such attitudes may also help to put status pressures in perspective, and create areas of compensation without which it is often difficult for adolescents to move out into active life.
- e. Hedonistic-ecstatic attitudes may be found in new religious milieus, which on the one hand are antithetical to the requirements of rational social action, but on the other hand, they may be beneficial for experience-oriented individuals and they may prevent the sensuous-emotional impoverishment of everyday life (cf. Chapter 3.1). These hedonistic, experience-oriented expectations of parents vis-à-vis their children may lead to apparently licentious forms of neglect, but can also offer children an environment rich in emotional and sensuous experience.
- f. Life-styles may also be found which at first sight appear volatile and marked by rapid changes of context, where people run through various different groups or scenes in the space of a few years, or take part in different religious groups in parallel, forming an individual attachment to each. These forms, also known as “polytheistic”, “privatised”, “do-it-yourself”, “occasional” or “patchwork” approaches to religion,¹⁵²⁾ can be seen as the expres-

¹⁵¹⁾ Cf. Helsper, W.: Das “postmoderne Selbst” – ein neuer Subjekt- und Jugendmythos? Reflexionen anhand religiöser jugendlicher Orientierungen. In: Keupp, H./Höfer, R. (ed.): Identitätsarbeit heute. Klassische und aktuelle Perspektiven der Identitätsforschung, Frankfurt 1997, pp. 174–207.

¹⁵²⁾ Cf. e.g. Luckmann, T.: Die unsichtbare Religion, Frankfurt/Main 1991; Lifton, R. J.: History and Human Survival, New York 1971; Barz, H.: Religion ohne Institution? Opladen 1992; *ibid.*: Dramatisierung oder Suspendierung der Sinnfrage? Anomietendenzen im Bereich Religion/Kirche, in: Heitmeyer, W. (ed.): Was treibt die Gesellschaft auseinander? Frankfurt/Main 1997, pp. 414–473; Fowler, James W.: Stufen des Glaubens, Die Psychologie der menschlichen Entwicklung und die Suche nach Sinn, Gütersloh 1991; Helsper, W.: Neoreligiöse Orientierungen Jugendlicher in der “postmodernen Moderne”, in: Ferchhoff, W. et al. (ed.): Jugendkulturen – Faszination und Ambivalenz, Weinheim/Munich 1995, pp. 66–82; Fischer, D./Schöll, A.: Lebenspraxis und Religion, Fallanalysen zur subjektiven Religiosität von Jugendlichen, Gütersloh 1994, p. 271 ff.

sion of severe identity and orientation crises, in the face of the demand for independence of orientation and decision-making. On the other hand, these life-styles may also be seen as an expression of an individualised search, as a productive way of dealing with the radical pluralism which is characteristic of highly modernised or “post-modern-modern” society (cf. Chapter 3.1). For children and adolescents growing up in such milieus, this can lead to problems of orientation and to chronic uncertainty, since they keep being confronted with changed orientations and group references. On the other hand, children and adolescents living such lives also have an opportunity to learn very early in life to deal openly and easily with a great variety of novel notions of meaning, thereby becoming socialised in creative interaction with a comprehensive cultural pluralism.

The essential point is that the “possible” but by no means inevitable lines of conflict always point to a clash with the highly modernised principles of a life-style in which people must take responsibility for themselves. These conflict lines involve a variety of factors, including suppression of reality, consequential problems and burdens; such problems – which are fraught with tension – are generated by the exacting requirements imposed by modern life itself. Here too it should be noted: Just because parents belong to a religious community or movement whose values, life-styles and beliefs are antithetical to the dominant modern, Western value system, it cannot be inferred that in general this represents a threat to children. Holding such beliefs can also be read as an expression of the parents’ active resistance to the prevailing social mores and as partisan advocacy for their children’s future – as in the criticism of life-styles focused on competition and dissociation, such as children and adolescents may experience at school, where individual performance may be rated more highly than integration as a social principle.¹⁵³⁾

5.2.3 Assessing the education of children in the belief systems of new religious and ideological communities and psychogroups

An assessment of the risk that children and adolescents are exposed to when they grow up in new religious and ideological communities and psychogroups is often based on spectacular isolated cases. For a more accurate judgement of the potential hazards to children, however, the following three points should be taken into account:

First, it is inadvisable to jump to conclusions about the actual reality of relations between parents and children or adolescents on the basis of programmatic statements. Parent’s views about the upbringing of their children may be influenced by their religious ideas in widely differing degrees, even in apparently closed religious milieus. These religious preconceptions about child-rearing may

¹⁵³⁾ For this argument, cf. Fend, H.: Sozialgeschichte des Aufwachsens im 20. Jahrhundert, Frankfurt/Main 1988.

be tempered by other views held by the parents, so that their importance in everyday life is limited. As between programmatic statements about child-rearing and the actual parent-child relationship, there may thus be many intermediate steps and levels, so that the connection is fairly tenuous. What makes it even harder to arrive at a valid assessment of educational attitudes and actions in new religious groups is the fact that there are no empirical analyses of the way children and adolescents are actually taught, something that was mentioned as particularly regrettable by educational and psychological experts at the Enquete Commission's hearings. This does not of course mean that an analysis of the educational concepts would be irrelevant. Such an analysis could reveal "educational structures of meaning" which might point to a specific "proneness" to educational problems on the part of the groups concerned – though these problems would not necessarily arise in general in dealings with children and adolescents.

Secondly, new religious and ideological communities and psychogroups – even those that make a point of shutting themselves off from the world – do not constitute homogeneous habitats. True, direct social control and the pressure to conform can become very strong in such isolated settings. But this is not the case in many milieus; and even where it is, there may be micro-political struggles over the "correct" interpretation of the faith, the details of religious life and its rules, the attitude and the degree of openness to be adopted vis-à-vis the outside world, struggles too for power and influence – and, indeed, over the right way to deal with children and adolescents. Hence, new religious and ideological communities and psychogroups are internally diverse.

Thirdly, any judgement of child-rearing in these communities, groups and movements is never more than a snapshot of what is a developmental process, and must therefore be regarded as subject to change.

The following examples of ideas about the upbringing of children should be read with the above qualifications in mind, as should the reports on the way children and adolescents are treated in new religious and ideological communities and psychogroups.

5.2.4 The situation of children and adolescents in new religious and ideological communities and psychogroups

Experts estimate that perhaps 100,000 to 200,000 children and adolescents are growing up in new religious and ideological communities and psychogroups in the Federal Republic of Germany. Here too there is a lack of reliable statistical data. But even the lower limit of 100,000 shows clearly that there are very large numbers of children and adolescents growing up in these milieus and life-styles. On the basis of the available reports and studies, reference is made in what follows to educational risks which may typically arise in specific groups and movements. Examples are drawn from individual groups and movements ranging

from Christian or Christian-oriented groups, through the occult, far-eastern or Hindu-oriented groups, to the more recent therapy-oriented and life-counselling groups, and finally those that lie at the triple intersection of politics, commerce and faith.

5.2.4.1 The Unification Church

In the Unification Church of the Korean religious leader Sun Myung Moon, which links the Christian and far-Eastern traditions, family and parenthood are of central importance. Reverend Moon and his wife are seen as the “true parents”, who function as God’s regents, with the task of founding a “perfect family”, which is supposed to make possible a perfect humanity. The mission of the “true family” is to make possible the “restoration” of a perfection that was forfeited through the Fall. As a new, perfect Adam and a new, perfect Eve, they are to redeem the Fall – which was caused by Satan’s seduction of Eve – and thereby to complete Jesus’ work of generating a new, sinless, perfect family. Moon’s 1960 wedding to Hak-Ja-Han in 1960 is understood as the “wedding of the lamb” and as reparation for the crucifixion, and is said to have paved the way for the begetting of “sinless children” and the founding of a blood line that does not belong to the “line of Eve and Satan” but initiates a divine lineage of human perfection, of the “Kingdom of Heaven”. The goal is to make this “Kingdom of Heaven” an earthly reality, through a kind of final struggle or “World War III” with the Satanic forces, and at the same time to release the spirits of the dead from their limbo – an attitude which, all in all, explains the Church’s intensive missionary activity.¹⁵⁴⁾

In the Unification Church “family” and “parenthood” are particularly highly prized, albeit in strict subservience to the “true family”, an exemplary expression of which is the “vow”.¹⁵⁵⁾ The ritual “blessing” of couples (also known as “mass wedding”) shows this with particular clarity, for in the “blessing” the couples are said to be “adopted” and thus become children of the “true family”. The “marriage” thus culminates in a new “childhood relationship”, and the founding of one’s own family – which occurs at least in part at Moon’s suggestion (the so-called “matching”), even if this is not generally the case and it is possible to refuse consent¹⁵⁶⁾ – puts the parents back into the status of children, this time children of the “true family”.¹⁵⁷⁾ This can be seen, for

¹⁵⁴⁾ Cf. more about the Unification Church in Kehrner, G. (ed.): *Das Entstehen einer neuen Religion – das Beispiel der Vereinigungskirche*, Munich 1981; Reller, H. et al. (ed.): *Handbuch Religiöse Gemeinschaften*, 4th completely revised and enlarged edition, Gütersloh 1993.

¹⁵⁵⁾ Cf. Reller, H. et al., loc. cit., p. 837f.

¹⁵⁶⁾ This also transpires from the information given by the Unification Church in connection with the Enquete Commission’s hearing on 13 January 1997.

¹⁵⁷⁾ Cf. Eimuth, K.H.: *Die Sektenkinder*, 1996, p. 159 and in particular the analysis of Moon in Schöll, A.: *Zwischen religiöser Revolte und frommer Anpassung*, Gütersloh 1991, p. 184ff. Here Schöll uses a case study on Moon followers to demonstrate in an understandable and plausible fashion how Moon’s central position and the subservience demanded of his followers can culminate in a denial of autonomous living.

example, in the rules and regulations which reach deep into the privacy of everyday life.¹⁵⁸⁾ However, this tends to devalue the parents as independent individuals and figures children can identify with, and on the other hand, the children of a given family are above all also children of the “true family”. This may also explain the frequent practice – always voluntary, of course, as the Unification Church emphasises – of adoption, whereby children are given to childless couples.

Against this background, problematic attitudes towards children in the Unification Church can mainly be seen in the fact that children too – like the adults – are encouraged to accept Moon’s unconditional “divine” authority. This acceptance of an irrefutable authority, and the trend towards invalidation of the parents as responsible persons with whom the children could identify, may make it more difficult for adolescents in the family to establish their autonomy.¹⁵⁹⁾ Besides, relations between parents and children may become distant, a distance which is felt on both sides. The foundation of a non-interchangeable emotional parent-child relationship can be thereby impaired.¹⁶⁰⁾ Thus, Schöll has shown in an empirical case study that, in the case of members of the Unification Church, there is a danger that their family orientation may remain superficial, being sacrificed to an overriding commitment to Moon. In terms of practical living, this may well give rise to a failure of social and interactive relatedness.¹⁶¹⁾ Although these findings cannot be generalised, they do point to an educational problem area in the parent-child relationship among followers of the Unification Church. Finally, it can be particularly stressful for children to be caught up in the struggle against the Satanic forces and the salvation of humanity in an all-embracing “plan of salvation and rescue”, and to find themselves under missionary pressure as members of the first generation born without sin. Therein lies a danger that, under heavy pressure from their earliest years and facing high demands and expectations, they may in case of “failure” develop powerful feelings of guilt at being complicit in the perpetuation of the Satanic forces and thwarting the plan for salvation.

5.2.4.2 Fundamentalist currents in groups and movements of Christian origin

These movements form a multifaceted conglomeration of smaller circles, communes formed around charismatic individuals, and larger groups that are becoming increasingly popular, mostly outside the mainstream Churches and the Free Churches, but overlapping with the Churches’ areas of inter-

¹⁵⁸⁾ Cf. Reller, H. et al., loc. cit., p. 836.

¹⁵⁹⁾ Cf. Schöll, A., loc. cit., p. 184 ff.

¹⁶⁰⁾ Cf. Eimuth, K.H., loc. cit., p. 166f.

¹⁶¹⁾ Cf. the analysis in Schöll, A., loc. cit., p. 184 ff., especially the analysis of marriages of Unification Church members, p. 221 ff. and the summary on p. 245 ff.

est.¹⁶²⁾ Because of the great diversity of these groups, communes and smaller circles, it is hardly possible to present a coherent account of their basic beliefs.¹⁶³⁾ In what follows, therefore, only some of the problems that arise in dealing with adolescents will be outlined, those that are particularly marked in certain groups and that may be associated with specific beliefs. It is stressed that the following phenomena are in no way equally applicable to all currents in this religious spectrum, and even where they are more clearly marked, they can in no way be generalised.

Thus, there is sometimes definite approval of physical discipline, even if extreme forms of corporal punishment are rejected and criticised.¹⁶⁴⁾ To put this into perspective, it must be noted that approval of such practices is also found in other religious milieus. In any case, the acceptance of corporal punishment is not peculiar to religious groups, but is also to be found as an educational orientation in other, non-religious life-styles and milieus. If one is to believe a representative survey carried out by the EMNID Institute, only 39 per cent of fathers and mothers reject corporal punishment.¹⁶⁵⁾ This is not to play down the problem of corporal punishment in groups of this religious persuasion, but it does show clearly that this is in no way a unique phenomenon in specific religious groups.

Ideas about a constant threat from an ever-present "Evil One" can also impel adolescents to be constantly monitoring and controlling themselves, to the accompaniment of strong guilt feelings and self-inflicted punishments, all of which is thoroughly typical of rigid and rigorous superego formation.¹⁶⁶⁾ Intense notions of demonology can be particularly damaging to the integrity of the adolescent psyche.¹⁶⁷⁾

A strict dualism interpreted in demonological terms can, together with the ego crises and developmental processes of children and adolescents, lead to powerful anxieties, occult notions and persecution fantasies. These fears child-

¹⁶²⁾ Cf. Horst Reller et al., loc. cit., pp. 136 ff., 146 ff., 167 ff. and 217 ff.; cf. also the Berlin Senate Administration for School, Youth and Sport (ed.): *Information über neue religiöse und weltanschauliche Bewegungen und sogenannte Psychogruppen*, Berlin 1995, p. 27 ff.; also the contributions in Meyer, T.: *Fundamentalismus in der modernen Welt*, Frankfurt 1989 and for some theoretical background Beck, U.: *Die Erfindung des Politischen*, Frankfurt/Main 1993, pp. 99–149.

¹⁶³⁾ Cf. Gasper, H. et al.: *Lexikon der Sekten, Sondergruppen und Weltanschauungen*, Freiburg/Basel/Vienna 1995, pp. 135 ff., 456 ff., 812 ff.

¹⁶⁴⁾ Cf. Eimuth, K.H., loc. cit., p. 204 ff.

¹⁶⁵⁾ Cf. the EMNID study on attitudes to corporal punishment in: *Das Beste*, 1997, Vol. 4, p. 4 ff.

¹⁶⁶⁾ Cf. particularly the work of Klosinski, G.: *Über blasphemische Äußerungen und religiöse Versündigungsideen im Kindes- und Jugendalter*, in: *Acta paedopsychiatrica* 45, 1980, p. 325 ff.; *ibid.*: *Psychokulte, Was Sekten für Jugendliche so attraktiv macht*, Munich 1996, p. 75 ff. and various contributions in: *ibid.* (ed.): *Religion als Chance oder Risiko*, Bern and elsewhere 1994. In the course of the Enquete Commission's hearings of former group members and other concerned persons, there were clear indications of such problems, including Jehovah's Witnesses.

¹⁶⁷⁾ Cf. the remarks on demonology in the writings of Wolfgang Margies, e.g.: Margies, W.: *Befreiung*, Berlin 1993, p. 41 ff.

ren and adolescents have of being pursued by evil forces or taken over by dark powers find fertile soil in demonic notions. These kinds of beliefs are in no way confined to this religious spectrum, but are also widespread in traditional Catholic or strict Protestant milieus. But here, too, things need to be kept in perspective: Powerful anxieties of this sort in adolescents, the feelings of persecution and the urge to self-inflicted punishment, probably only arise this dramatically where the parent-child relationship is itself highly ambivalent. For it is then that the ambivalence of good and evil, protector and persecutor, love and hate also takes shape as a structural element in the relations between parents and children. Then these ambivalent childhood relations can become linked with the world of demonic notions, drawing from it its images of persecution and invasion. With the crisis of adolescence and the processes of separation, a young person may begin to oscillate between good and evil, eventually more or less identifying with evil as an expression of separation from and negation of the family tradition. This may also find expression – as the cases studies show with exemplary clarity – in the shape of “Satanic” practices and notions.¹⁶⁸⁾

5.2.4.3 Hindu and meditative currents

The range of groups and practices associated with Hinduism is also too wide to permit the formulation of general principles here.¹⁶⁹⁾ So far as the problem of children and especially adolescents is concerned, it was above all the so-called “youth sects” or “youth religions” of the seventies and eighties, those influenced by Hinduism and meditation, that were significant.¹⁷⁰⁾ Groups such as Bhagwan, Hare Krishna, Transcendental Meditation, Ananda Marga and the like were representative of this current. Back then the list of concerns was headed by conflicts over the breakdown of relations between adolescents and their families, isolation from the outside world, authoritarian structures and demands for submission within the groups, exploitation of youths and young adults by the groups, and finally destructive extremes in the form of self-immolation, suicide, death threats and infringements of the law in connection with the establishment of group centres (e.g. Osho (formerly Bhagwan) in Oregon, Hare Krishna in the

¹⁶⁸⁾ Cf. also the section on Occultism/Satanism (Chapter 3.4) and in particular: Klosinski, G.: *Okkultismus bei Jugendlichen: Jugendreligionen im neuen Gewand?* AJS Forum NRW 4, 1990, p. 18 ff.; *ibid.*: *Der Hang zum Okkulten – Esoterisches und Magisches bei Jugendlichen*, in: *Wege zum Menschen*, Vol. 2, 1994, p. 227 ff.; *ibid.*: *Psychokulte, Was Sekten für Jugendliche so attraktiv macht*, Munich 1996; Streib, H.: *Entzauberung der Okkultfaszination, Magisches Denken und Handeln in der Adoleszenz als Herausforderung an die Praktische Theologie*, Kampen 1996; Helsper, W./Streib, H.: *Okkultismus in der Adoleszenzkrise*, in: *Wege zum Menschen* 46, Vol. 4, 1994, pp. 183–198 ff.; Helsper, W.: *Okkultismus – die neue Jugendreligion? Zur Symbolik des Todes und des Bösen in der Jugendkultur*, Opladen 1992.

¹⁶⁹⁾ Cf. the relevant chapters in Reller, H. et al. (ed.), *loc. cit.*; also Gasper, H. et al., *loc. cit.*; on the basics try: Ram Adhar Mall: *Der Hinduismus, Seine Stellung in der Vielfalt der Religionen*, Darmstadt 1997.

¹⁷⁰⁾ Cf. the relevant account in the Enquete Commission’s Interim Report on “So-called Sects and Psychogroups“, p. 52 f. and p. 56 f.

Rettershof incidents, etc.). Since then, however – as has already been pointed out – there have been important changes and developments within these groups and movements.¹⁷¹⁾ In Osho, a critical view is now taken of the Oregon phase and the guru's position, and especially in the case of ISKCON, there are clear signs of self-critical reflection and of efforts to enter into a dialogue with critics, parents, the region and the public at large.¹⁷²⁾ These mainly concern the role of women and hence also gender-specific stereotypes and child-rearing in ISKCON, a playing-down of the isolation from the outside world in temples in favour of a more marked "community orientation", less emphasis on children attending only "Gurukula" schools and relatively closed milieus in favour of more integration in the surrounding culture, and above all a clear turn away from the previous treatment of parents and families of adolescents who join ISKCON.¹⁷³⁾ This is probably a "learning process" on the part of a former "youth religion" which must now come to terms with the fact that the "children of the movement" cannot be denied the opportunity – despite alternative beliefs and views about life – of integrating into Western culture. Even if the ideas about child-rearing and education are still sharply at variance with the standard Western life-style, the attempt to strike a balance between the Krishna orientation and the Western life-style is plain to see. The possibilities for a reflexive social integration of children and adolescents in a ISKCON context are thereby enhanced.

¹⁷¹⁾ Cf. the account in: Hummel, R.: Gurus, Meister, Scharlatane, Freiburg 1996.

¹⁷²⁾ Cf. the accounts and documentation of reactions in: 25 Jahre ISKCON-Deutschland, Konferenz der Akademie für Vaishnava-Kultur am 29. Januar 1994 in Wiesbaden, 2nd edition, November 1996; this was also manifest in ISKCON's presentation to the Enquete Commission and in its efforts to exchange views with members of the Enquete Commission.

¹⁷³⁾ The document "25 Jahre ISKCON-Deutschland" (loc. cit.) contains the following comments: "Minors may join a temple community only with the express written consent of their parents. Persons engaged in education or training are urged to complete their course before beginning their studies with ISKCON. Today we no longer encourage anyone to drop out of education, but point out to everyone that over 80 per cent of temple members move out of the temple after a period of three to five years in order to start a family. We also do not advise anyone to abandon his professional or family responsibilities." (p. 62) As concerns dealings with families whose members join ISKCON, tensions and problems are regretted, for which *inter alia* "immature and insensitive behaviour" (loc. cit.) on the part of ISKCON is conceded. The result: "To this end, ISKCON has for example organised family meetings, in co-operation with members of the Vaishnavas, which serve as a communications forum. It is also a matter of principle with us not to admit any new applicant to our community until we have talked to the parents. Such get-togethers and family meetings may not perhaps produce a definitive solution to all problems, but they do prepare the ground. Regular contact with the family is a serious concern for us, and we do everything possible to maintain it." (loc. cit.) In the course of the hearing of persons concerned with the situation of children and adolescents in so-called sects and psychogroups, one young woman suggested that this attitude to families might also be prompted by tactical and presentational considerations. Admittedly, she had not been present at any meeting with parents, and her information had less to do with children of the second generation. Even so, what she had to say must be taken seriously. But even if there are tactical motives at work, and even if there are discrepancies between the announced changes and what really happens, these public and self-critical attitudes on the part of ISKCON do point to an effort to deal in a new and more productive manner with existing conflicts.

Given the changes and developments, it is by and large hardly possible to develop a coherent picture of the attitudes to education and upbringing, or the treatment of children and adolescents, in the spectrum of groups associated with Hinduism and meditation. Thus, a former member of Ananda Marga¹⁷⁴⁾ told the Enquete Commission, at its hearing on the situation of children and adolescents, that she – at least in Europe, though she had encountered other child-rearing practices in India – had witnessed mainly positive relations between Ananda Marga members, most of them alternative and counter-culture sorts of people, and their children – relations characterised by laissez-faire attitudes and a large measure of freedom. The way the children were treated seemed to her to be loving.

By contrast, the Commission heard about practices involving compulsory meditation for children, also from the nineties, mainly among the followers of Sant Thakar Singh – practices which represented clear forms of abuse and harm.¹⁷⁵⁾ Thus, one woman told the hearing about her life with her two-year-old child in one of the group's centres. The two-year-old had to meditate for ten or twelve hours a day with his right ear sealed and his eyes blindfolded, while his father kept a tight grip on him. In those six months he had no toys, was sometimes bathed in cold water only, and allowed to eat only wearing a blindfold. After a few days of this forced meditation, the child abandoned all resistance. To the adults who were following the teaching of Sant Thakar Singh, this was a sign that the child now felt well, his negative mood was broken and his soul was pure. The failure to attend to the child's needs, such as hunger and thirst, together with his experience of being completely ignored, produced in him a state of total apathy. With this behaviour, she said, he was considered in the centre to be a model child. The child's traumatic experiences and their aftermath had necessitated a prolonged period of therapy, which was still continuing, after the mother's withdrawal from the group.

It can in no way be assumed that all Hindu-oriented groups practise these forms of compulsory meditation for children.¹⁷⁶⁾ But this extreme example does

¹⁷⁴⁾ This rather positive account is not intended as an overall evaluation of Ananda Marga. What this former member had to say included some highly critical views, particularly as concerns authoritarian features of Ananda Marga focusing on discipline and subjection. Cf. also the experience report of Roth, J.: *Der Weg der Glückseligkeit*, Frankfurt/Main 1992; for a general view: Hummel, R.: *Gurus, Meister, Scharlatane*, Freiburg 1996, p. 210ff. and Gasper, H. et al. (ed.): *Lexikon der Sekten, Sondergruppen und Weltanschauungen*, Freiburg/Basel/Vienna 1996.

¹⁷⁵⁾ Cf. Eimuth, K.H.: *Die Sektenkinder*, Freiburg 1996; Berlin Senate Administration for School, Youth and Sport: *Informationen über neue religiöse und weltanschauliche Bewegungen und sogenannte Psychogruppen*, Berlin 1994, p. 13; on the effects on children of prolonged meditation with the right ear sealed with a silicon plug and blindfolded, see also the report of the Institute of Social Pediatrics and Youth Medicine at the Ludwig Maximilian University, Munich, of 20 April 1994.

¹⁷⁶⁾ Thus, one former member of Ananda Marga reported that in her eight years with the group in Europe she had not encountered drastic forms of compulsory meditation such as those found in Sant Thakar Singh. Meditation as practised by small children had been very brief, only a few minutes; in the case of older children it lasted fifteen to thirty minutes. In kindergartens run by Ananda Marga, the attempt to introduce meditation for children had largely failed in practice.

show the way forms of intensive and prolonged meditation,¹⁷⁷⁾ potentially dangerous even for adults, can lead to far greater stresses and dangers for young children. That the psychological methods used in new religious and ideological communities and psychogroups can indeed have a more intense and potentially more damaging effect precisely on children who are going through sensitive phases of development, have not yet formed a strong ego, are heavily dependent on others and have few experiences which would help them to put things into perspective, was pointed out by the psychological experts in the Enquete Commission's hearing on the situation of children and adolescents.

5.2.4.4 Scientology

The Association for Better Living and Education (ABLE) is the branch of the Scientology Organisation concerned with education and training.

L. Ron Hubbard formulated the mission of ABLE as being designed to rehabilitate the whole field of education through the spread of the only functioning technology of study: The L. Ron Hubbard study technology.¹⁷⁸⁾

The book "Dianetics for Children" may be taken as a statement of the Scientology Organisation's educational ideal for parents. It thus forms the basis for the upbringing of children in Scientology.

Since the founder of Scientology assumes that a child is nothing other than a "thetan" in a small body, the entire course programme is considered to be compulsory for children too. Children's fantasies are defined in "Dianetics for Children" as a form of mental illness. To L. Ron Hubbard, it is therefore "not surprising that children seem to display a similarity to psychotics and schizophrenics."¹⁷⁹⁾

To treat this allegedly pathological behaviour, the technique of "auditing" is practised on children as well as adults. The aim is to eradicate the traces of painful experiences, in order to eliminate the so-called "reactive mind". Hubbard considers that children can be audited as soon as they learn to talk. "Heavy processing", however, he recommends from the age of five only. Regression to prenatal events, says Hubbard, should wait until age twelve.

Among the rules of Scientology, there is also a "security check" for children, which starts with the question "What have you been forbidden to tell?"¹⁸⁰⁾ The child is confronted with a questionnaire containing over 100 questions. The procedure has the nature of an interrogation, and is intended to elicit from the child

¹⁷⁷⁾ Thus, there are recurrent reports that certain meditation techniques may lead to psychological decompensation. One former adept of Transcendental Meditation told the Enquete Commission's hearing of former group members about alarming experiences he had had, reminiscent of drug experiences, in connection with the use of mantras.

¹⁷⁸⁾ Quoted from the report of the Hamburg Senate, Doc. 15/4059

¹⁷⁹⁾ Quoted from: "Kinderdianetik", Copenhagen 1983, p. 76

¹⁸⁰⁾ Cf. Eimuth, H.H., loc. cit., p. 79 ff.

anything painful or negative that can serve as the starting point for the eradication of “engrams”. Through auditing and the Scientology Organisation’s house rules, children seem to be exposed at a tender age to the attempt to eradicate everything stressful, weak or emotional in them, to make them strong and insensitive to pain and weakness, thereby creating “supermen” without sensations.¹⁸¹⁾

We gather from a report¹⁸²⁾ by former members that children are encouraged to take on a daily learning programme about which they have to keep a sort of statistical diary which is used for the purpose of systematic evaluation. These practices may be understood as an early introduction to forms of subjection to control by others.

If the parents comply with the prescribed educational ideal, the children grow up in the closed ideological system of Scientology. To ensure that they actually do so, the children are sent to the organisation’s own kindergartens and schools.

From the available reports and instructions, it can be inferred that children in the Scientology milieu are required early on to carry out a daily programme similar to that of the adults. In all the parents’ activities, the foremost consideration is always supposed to be the benefit to the organisation. Characteristic of this is an internal instruction issued to the Scientology elite “Sea Org”, calling upon parents to give up for “production” even the one hour a day allowed for the family.¹⁸³⁾ This makes it at least difficult to establish close, dependable and lasting parent-child relations, and the child learns early on – via its parents – that work for Scientology has absolute priority. This can even lead to parental neglect of the children, since Scientology parents have as a rule internalised the notion that the highest goal is the expansion of the Scientology Organisation, and they hold the view that they must have their children brought up to think the same.

The most extreme form for children inside the organisation applies to those who grow up in the Sea Org. Since the Sea Org is regarded as the elite unit within the Scientology Organisation, it is the ambition of many Scientology parents that their children should have a Scientology career.

Particular reference may be made here to the testimony of a young ex-member who grew up in a Scientology family and at the age of eleven came to Germany. Until age seventeen or eighteen her experiences with Scientology were limited. She had only tried working for Scientology for a few weeks during the school holidays, and because of family problems – the idea being that she should get on better with her step-mother – she had been sent on a communications course, followed by an introductory course in Scientology, which initially she had found fun. Overall, the most powerful influence seems to have been her

¹⁸¹⁾ This emerges from the comments by Prof. Dr Linus Hauser at the public hearing held on the “Situation of children and adolescents in so-called sects and psychogroups” on 13 March 1997.

¹⁸²⁾ Cf. Anonymous: *Entkommen*, Reinbek 1993, p. 101 ff.

¹⁸³⁾ Cf. Eimuth, K.H., loc. cit., p. 84 ff.

upbringing in the family, and in particular her father's attitude. She reports that she was never allowed to say at school that her father and step-mother were Scientologists. By and large she had grown up in isolation. Her father's attitude towards her was that she could do anything, that any difficulties were her own problem and that she herself must know best. From her earliest years, even when there were problems at home, he had said that she was not four years old (her age when her mother died), but a thetan, and must cope with things herself. Her conclusion was that Scientology parents expect a great deal from their children, too much in fact.

When she was sixteen or seventeen the family problems got worse. Her father's new girlfriend, following his separation from her stepmother, did not want her around and declared that she was unwilling to have the girl in her house. Her father had said she was a thetan and that it was up to her to decide what she wanted to do. She could work in the organisation, he said, which would give her a roof over her head. She did that for a few weeks, and never did really know where to put herself.

At this point, she was approached and asked if she wanted to become a staff member. Recruiters from Flag, Copenhagen and Saint Hill had also tried to sign her up. She was told she was highly qualified, intelligent and competent, which pleased her greatly. She finally opted for Saint Hill and the Sea Org, and her father too signed the "trillion year contract". That was important for her father, she said, because he himself had earlier failed in the same endeavour and now put his hopes in his daughter. This contract "solved" her problems, since she was now provided with board, lodging and care.

Describing her work at Saint Hill, the young ex-member reported that she studied from eight in the morning to four in the afternoon, doing the courses for the Sea Org. Afterwards, she was drilled, she said, and then there was physical work. No breaks were allowed, and during the entire day, there were only two half-hour pauses for meals. She had to jog everywhere and there was no rest, because she had to achieve optimum production. She hardly ever had any spare time, and the remuneration was less than promised and paid only infrequently. She had also hardly ever been to school. That had also been the experience of a thirteen-year-old friend, who was at the same time her superior. They had been helping to build a sauna, more often than not working through the night and going straight on to their classes the next morning with little or no sleep. She had been very exhausted, had started having back problems, and she found the work very hard. She never got enough sleep. Even when ill she had had to work, and nobody paid any attention to occupational injuries. They were not supplied with adequate protective clothing, not even for hazardous work, e.g. when they were handling acid. They were told a thetan could do anything.

After six weeks, she wanted to go back home, partly because she felt lonely and everything was so impersonal. Thereupon, she was obliged to spend hours writing down all her mistakes, and she was put under pressure by being told

that if she left now she would be a failure and a shame to her family. When she continued to defend herself, she was shouted at and publicly humiliated. The work became even harder, and sometimes, she was not allowed to take meal breaks. When she tried to run away, she was seized by security guards and locked in a room for hours. After that, she was systematically watched and monitored. Attempts to resist were particularly difficult, she said, because there was nobody one could confide in, everything was immediately passed on. Moreover, the telephones were bugged, and letters were opened. She herself had also been involved in this system, had spied on others, and opened their mail. Only when she pretended for a while that she conformed completely, did they let down their guard, whereupon she had managed to spin a credible tale about her father being seriously ill. That way she was given three weeks leave in Germany. She used this opportunity to leave Scientology, but was able to do so only with the support of others. Her father did not understand her and said she shouldn't be a failure in Scientology the way he had been, and if she didn't return to Sea Org she would no longer be his daughter.

Although she had been very glad to get away from Saint Hill, she had gone into crisis because she had lost her friends, both those from Scientology and her previous friends. She was also dropped by many of her relatives, who blamed her for her father's misfortunes and, because of his failing health, his imminent death. All in all, she tended to be withdrawn, feeling that she was too old for her fellow students and peers, not like eighteen, more like forty. The positive side was that she was able to go back to school and gradually build up new friendships, albeit with older people.

This account is valid for parents who bring up their children strictly according to the rules of the Scientology Organisation. There are also cases where parents do not follow Hubbard's rules in bringing up their children.

5.2.4.5 Summary

In conclusion, it remains to be noted that these brief accounts of various new religious and psychocult groups and currents point to potential dangers that are obvious if one looks at the groups' programmatic statements and are in fact confirmed by reports. In no circumstances, however, should these indications be misunderstood as a description of the way in which these groups generally treat children. In actuality, it must be presumed that there is a wide scatter in terms of the way in which children are treated and the quality of parent-child relations, even in these new religious milieus and groups.¹⁸⁴⁾

¹⁸⁴⁾ Cf. the reservations about judgements as to the upbringing of children and relations between parents and children in new religious movements and groups in Section 5.2.3 of this Chapter.

5.2.5 Educational conflict areas and potential hazards

Educational conflicts and the resulting dangers for children and adolescents have to do, first, with the internal reality of the family, i.e. the parent-child relationship itself, and with the impact of the group and milieu in which they are embedded; secondly, with adolescents' relationship with other educational institutions and the extra-curricular activities of children and adolescents; and thirdly, with the consequences of the respective life-styles, and the educational beliefs and practices, for the individualisation and reflexive social integration of adolescents. This section therefore outlines – in a necessarily simplified form – only the problematic and potentially hazardous aspects of these kinds of movements, groups and milieus for children and adolescents. Aspects that tend to promote stability, encourage development and open up possibilities are not addressed here,¹⁸⁵⁾ and will need to be scientifically studied in the future. It should not be concluded that the involvement of children and adolescents in these groups and movements displays only harmful and problematic aspects.¹⁸⁶⁾

The potential hazards – as discussed at the hearing of educational, psychological and medical experts before the Enquete Commission – are briefly listed below.

5.2.5.1 Problem clusters within the family

As the experts made clear, a distinction should be drawn here between the situation of children and adolescents who grow up in the new religious and ideological communities and psychogroups, and the position of adolescents and young adults who have recourse to such groups as part of the process of separation and becoming independent, or who spend time in new religious milieus as they experiment with alternative life-styles. Be that as it may, the problems outlined below cannot accurately be regarded as typical only of the new religious and ideological communities and psychogroups and families. Analogous problems and conflicts are also found in other religious and non-religious milieus and life situations with quite different agendas.

For the *group of children and adolescents who grow up in new religious and ideological communities and psychogroups*, the following problem clusters may be noted:

¹⁸⁵⁾ Cf. the remarks on the attitude of these movements and groups to the requirements of modern life in Section 5.2.2 of this Chapter; cf. also the comprehensive, interdisciplinary and multi-perspective account of the relationship between youth and religion in terms of both problems and opportunities in Schweitzer, F.: *Die Suche nach eigenem Glauben, Einführung in die Religionspädagogik des Jugendalters*, Gütersloh 1996.

¹⁸⁶⁾ Cf. – at least for the processes that attract adolescents and post-adolescents to these groups and movements – the research project on biographies in such groups in Chapter 3.5 of this Report, and in the Annex.

There is the danger that parents may have insufficient autonomy and be too dependent vis-à-vis the groups, so that the way they deal with their children may also be determined by group pressures.

Particularly where the parents are heavily dependent in material terms, or where social resources and networks outside the new religious groups are largely lacking, parents may remain bound to the group even though things are going badly wrong. The parents' lack of autonomy and independence in the practical matters of life may then have far-reaching implications for the development of their own children's autonomy, because the parents are no longer effective as models of autonomous behaviour, or because the parent-child relations may be subject to outside control and adaptation to prescribed principles.

The heavy demands made on parents' time in the new religious groups may lead them to "neglect" their children.¹⁸⁷⁾ The counterpart to this in other, more secular milieus and life-styles would be the "neglect" of children because of absolute priority given to a parent's career or the pressures of the labour market, which can minimise the time parents are able to spend with their children.

Problems and conflicts with partners may arise where one parent becomes involved with new religious and ideological communities and psychogroups. These conflicts are exacerbated if the parents have sharply divergent religious views. A surprise conversion of one parent can place a particularly heavy strain on the family system, to the detriment of the children. This can lead to constant arguments in the family, which the children get drawn into and which can be very emotionally stressful for adolescents. Children who find themselves caught between two different religious views of life can face problems of loyalty, under pressure to "side with" one parent and "betray" the other.¹⁸⁸⁾

It is above all in adolescence that acute generational problems may arise, as the young person strives to separate himself, and this is especially the case – as was emphasised by the educational and psychological experts – within relatively closed groups and those that make absolute demands on their members. The independent individual development of adolescents is then not just experienced as a loss, but at the same time as a fundamental calling into question of the parents and their whole way of life. This is often also interpreted as the road to sin and perdition, whereby children may become "traitors" to the cause and find themselves on the side of the enemy. This too, however, is in no way an invariable feature of the new religious or psychocult milieus. Similar problems are encountered in other communities of like-minded people or groups with a pronounced ideological or political bias; they may also accompany changes of status, or the transition from one social milieu to another and sharply different one in the course of social mobility.

¹⁸⁷⁾ Experience reports and reports from former members submitted to the Enquete Commission's hearings also contain indications, e.g. about Scientology, *das Universelle Leben* (Universal Life), or VPM.

¹⁸⁸⁾ Cf. the case study recounted in Klosinski, G., 1996, p. 82 f.

A particular difficulty arises in the case of divorce, when decisions must be made about custody and account is taken of one or other parent's involvement in neoreligious milieus. Neither the mere fact of a parent's belonging to one of these new religious and ideological communities and psychogroups, nor appeals to "freedom of religion" as the basis of problematic parental behaviour towards children, can form an adequate basis for decision. The view of the legal experts called by the Enquete Commission was that no general regulation is possible here, but that each case has to be examined on its merits.¹⁸⁹⁾

For adolescents and young adults who, as part of their adolescent and post-adolescent processes of separation and orientation, associate with new religious and ideological communities and psychogroups, the following problem clusters may be identified:

Adolescents's search for orientation, even when pursued within new religious, spiritual or psychocult milieus and currents, can be understood as the expression of processes of becoming independent and separating from the family that are typical of adolescence, and as an experiential quest for meaning carried on outside the traditional institutions. This view of the matter was stressed by the educationalists, who indicated that social condemnation of unconventional forms of the search for meaning and choice of life-styles was not appropriate, and could cause adolescents to become entrenched in their views. This more nuanced approach can help prevent a one-sided "dramatisation" of the processes whereby adolescents or young adults become involved with groups.¹⁹⁰⁾ Of course, the new ties can themselves become problematic, again hampering the young persons' drive towards independence.

Parents frequently experience their "children's" involvement in new religious and psychocult groups as a loss or alienation. If they try to win their children back by using compulsion or "force", this can further strain the relationship between adolescents and their parents, or completely destroy it.

5.2.5.2 Problems and conflicts in relation to school, peers, youth culture and other fields of experience of children and adolescents

The involvement of children and adolescents in areas of experience outside the family is of great importance for their individualisation and reflexive social integration. In particular, the network of school and out-of-school friendships within the same age group plays a central role in the learning processes and socio-cognitive development of adolescents.¹⁹¹⁾ But the availability of wide-ranging

¹⁸⁹⁾ Cf. Information and Documentation Centre on Sects/Psychocults IDZ (ed.): *Auserwählt oder ausgeliefert? Kinder in Sekten und Psychogruppen*, Cologne 1996 and the account of the hearing of legal experts in the Interim Report, *Bundestag Doc. 13/8170* p. 24 ff., p. 25.

¹⁹⁰⁾ Material that supports this more nuanced approach may also be found in the research project, commissioned by the Enquete Commission, on biographies in new religious and psychocult groups and movements; cf. Chapter 3.6 of this Final Report, and also the Annex.

¹⁹¹⁾ Cf. Krappmann, L./Oswald, H.: *Alltag der Schulkinder*, Weinheim/Munich 1995 and Youniss, J.: *Soziale Konstruktion und psychische Entwicklung*, Frankfurt/Main 1994.

opportunities for education and training is also becoming ever more critical for adolescents's future. Major obstacles in either of these areas can therefore entail serious problems and long-term restrictions on the identity development of adolescents.

Against this background, attention is drawn to the following problem clusters:

The educational and psychological experts rightly drew the Enquete Commission's attention to the fact that children and above all adolescents, with their strong urge towards independence and also their efforts to be a part of their own age group, can be pushed into an outsider situation. This may in part be because children and adolescents are forbidden by their parents to take part in the activities of their peers. But it may also happen because other parents discourage their children from making friends with adolescents from groups and movements that are characterised by public opinion and the media as "dangerous".¹⁹²⁾ The two trends may reinforce each other, making the exclusion of children and adolescents particularly painful. No less problematic is the situation where children and adolescents have to keep secret their own or their parents' membership of a new religious movement or group,¹⁹³⁾ and are thereby forced continuously to manage their own image, as well as information and its presentation, in order to prevent the discovery of a threatening stigma.¹⁹⁴⁾ The result may be that children and adolescents are unable to talk about problems and conflicts that are crucial to their lives, either with other people of their own age or with adults, e.g. teachers, and despite their apparent involvement with a group are left to face their core problems isolated and alone. These problems are not confined to adolescents from new religious and ideological communities and psychogroups, but are also found in children and adolescents who try to control other sources of social stigma, e.g. a drastic decline in the parents' social situation, problems with alcohol or drugs, a parent in prison, etc. But even having said this, it can be assumed that the problem of the exclusion of adolescents from youth culture and from an untroubled and enriching intercourse with others of the same age group, compounded by the consequence of social isolation and loneliness, is particularly pronounced in the new religious and psychocult groups and movements.

Associated with this there may be a rejection or even "demonisation" of youth culture, youth fashion and youth style. Particularly prone to this are inter alia the traditional Christian, charismatic or Christian fundamentalist groups, the idea being that youth culture can be a gateway for the entrance of the evil and demonic.¹⁹⁵⁾ The result may be that adolescents find them-

¹⁹²⁾ References may be found in the comments of groups made to the Enquete Commission in which they report on experiences of discrimination against the groups and members, e.g. ISKCON.

¹⁹³⁾ Cf. the account of the young former member of Scientology in Section 5.2.4.4 of this Chapter.

¹⁹⁴⁾ Cf. the pioneering account of these problems in Goffman, E.: *Stigma. Über Techniken der Bewältigung beschädigter Identität*, Frankfurt/Main 1974.

¹⁹⁵⁾ Cf. Helsper, W.: *Okkultismus – die neue Jugendreligion?* Opladen 1992.

selves excluded from networks of friends and peers, which makes it very hard for them to take part in areas of youth experience or to gain access to information about youth culture at a time when the expansion of that culture and its increasing pluralism have made it a central field of learning and know-how for adolescents, of ever greater importance for their sense of themselves and their own future.

If adolescents are thrown back on the society of peers sharing the same beliefs, often in restricted networks, this severe constraint on the free choice of friendships, one of the central engines of development in childhood and adolescence, may prove a major hindrance to psychosocial development.

If the socialisation of children and adolescents takes place in special milieus that are cut off from the wider environment,¹⁹⁶⁾ such adolescents may find it difficult to relate their experiences, models of meaning and world views to the requirements of modern society. This can lead to deep-seated feelings of alienation and anxiety about modern life. The long-term result may be that adolescents socialised in this manner will continue to be dependent on such “withdrawal milieus” later in life. This goes along with being deprived of the experience of the pluralism and diversity of the world and ways of interpreting it, experience which is becoming ever more important for coping with an increasingly pluralist society.

In addition there may be clashes between the requirements and expectations of school life and the family’s own life-style and beliefs (e.g. participation in school events and outings, the contents of the curriculum, etc.), which can give rise to serious conflicts at school. What practical form such potential conflicts may take will, however, certainly be determined by the rigidity or otherwise of the particular family’s views.

In part there may also be difficulties in moving on to later phases of the school career, with the corresponding access to vocational guidance and training, to the point where a young person ceases to attend school altogether and is unable to take the school-leaving examinations.¹⁹⁷⁾ This can block one of the essential routes to responsible and independent adulthood. People with this background will find it considerably more difficult later in life to distance themselves from their group or leave it altogether.

¹⁹⁶⁾ This is mainly a risk where children not only grow up in such family circumstances, but beyond that are also drawn into the context of new religious and psychocult milieus, in centres, temples, closed communities, educational institutions like kindergartens, schools, organised leisure facilities etc., so that experiences which might help them put things into perspective are at least severely limited.

¹⁹⁷⁾ References may be found in the above account of a young former member of Scientology (cf. Section 5.2.4.4 of this Chapter). In general this potential danger is to be regarded as serious where adolescents are encouraged to live their whole lives within the respective group, the suggestion being that school-leaving examinations are therefore irrelevant.

5.2.5.3 Problems and conflicts affecting the social integration and individualisation of children and adolescents

Both of the previously outlined problem areas may in turn have far-reaching consequences for the individualisation and reflexive social integration of adolescents. The following problem clusters may be noted:

Dietary rules, the rejection of all medical treatment in favour of alternative therapies or miracle cures, or the refusal of particular kinds of medical intervention on religious grounds, can lead to nutritional and health problems in general. In extreme cases there may be danger to the life of adolescents, e.g. in the form of failure to secure medical treatment for a seriously ill child, or the refusal of blood transfusions, as in the case of the Jehovah's Witnesses.¹⁹⁸⁾

In addition to these threats to the physical integrity of adolescents, there are problem clusters as concerns their psychosocial integrity. Because of their subservience to group pressures, parents may often fail to serve as an identificatory bridge for the development of a responsible and independent way of life. It may also become more difficult for adolescents to strike the right balance between bonding – the product of a reliable parent-child relationship, as the basis for a relatively anxiety-free process of becoming independent – and separation. This may be particularly the case if parents, engrossed in new religious and ideological communities and psychogroups, have too little time for their children or are distant in their relations with them,¹⁹⁹⁾ while at the same time expecting their allegiance and "loyalty".

The dawning of independence in adolescence can be overshadowed by severe dissociation conflicts, guilt feelings and separation anxieties. Individualisation can thus be dominated by severe emotional conflicts and any move towards a "life of one's own" made very much more difficult.

In the case of adolescent "conversions",²⁰⁰⁾ there are other problems clusters: Involvement in new religious or psychocult groups may occur against a background of personal crisis and destabilisation, where there is a search for stability and orientation – perhaps in the shape of a "better family".²⁰¹⁾ There may then

¹⁹⁸⁾ Although it should be noted that among Jehovah's Witnesses there are signs of at least a cautious moderation of this attitude – even though they are holding fast to the categorical rejection of blood transfusions, based on the Bible. At the same time they do not call into question the entire range of medical treatment, and express the hope that with the advance of medical science forms of intervention may become possible that do not require blood transfusions. Finally, the basic legal position is accepted that transfusions may be carried out even against the will of the parents (cf. here the comments of the Jehovah's Witnesses on the Enquete Commission's Interim Report; this may also be inferred from the results of the Enquete Commission's visit to the Witnesses).

¹⁹⁹⁾ There were indications to this effect during the Enquete Commission's hearings of former members and other concerned persons with regard to *Universelles Leben* (Universal Life), Scientology and also VPM.

²⁰⁰⁾ Cf. Klosinski, G., 1996 and *ibid.* (ed.): *Religion als Chance oder Risiko?* Bern and elsewhere 1994; also Streib, H., 1996, *loc. cit.* and Helsper, W., 1992, *loc. cit.* and *ibid.*: *Religion und Magie in der modernen Adoleszenz*, Opladen 1998.

²⁰¹⁾ Cf. Pölz, W.: *Prognosen von drogen- bzw. sektengefährdeten Jugendlichen*, Vienna 1981.

be a danger that the convert will be made use of by such groups. However, there is also the possibility that an area of compensation for existing emotional difficulties will be found which offers stability and involvement, but also permits the acting-out of problematic urges (e.g. the acting-out of exaggerated forms of aggression and sexuality, in contexts inspired by “Satanism”).²⁰²⁾ The experts consulted by the Enquete Commission told the hearing that such conversions could be seen as having three phases: Following severe destabilisation, a new frame of reference is offered, which eventually becomes firmly established. Of course, for an assessment of the way in which adolescents and young adults become involved in such groups, and the duration and form of their involvement, as well as for a prognosis of the likely positive or negative effects on the course of their lives, it is of vital importance to look at the entire motivational background and in particular the fit between biographical factors and group profiles.²⁰³⁾

The more hermetically sealed against the outside world the new religious, ideological and psychocult milieus are, the greater is the risk that a separate world will be created, a world that ends at the group’s boundaries – where experiences that might help adolescents to put things into perspective or to move outside the confines are hardly possible. Where these milieus display clearly destructive or self-destructive features, there can be considerable danger, as can be seen from such extreme forms as collective mass murder or suicide. It also follows that the more open and permeable the new religious milieus are to experience of the outside world, the more communication there is with outsiders, the less likelihood there is of such dire developments. That also demonstrates the crucial importance to adolescents of the way life is lived in the outside world, and the way that world relates to and communicates with these groups and milieus, or refuses to do so.

Children in new religious and ideological communities and psychogroups are usually regarded as having an important function as delegates or representatives of the group, “bearers of the message of salvation”, and having a duty to pass the message on and live it out.²⁰⁴⁾ All this puts a heavy burden on adolescents, with clearly defined paths to be followed which prescribe ideal goals and high ambitions. This task of delegation can – in psychocult groups (like Scientology or VPM)²⁰⁵⁾ – demand the highest standards of performance and the utmost

²⁰²⁾ Cf. the Chapter on Occultism/Satanism in this Report.

²⁰³⁾ Cf. in particular the findings of the research project on biographies in the context of new religious and psychocult movements and groups (Chapter 3.6 and the Annex to this Report).

²⁰⁴⁾ Cf. in general on questions of family delegation and bonding dynamics the pioneering work of Richter, H. E.: *Eltern, Kind, Neurose*, Reinbek 1969 and the work of Stierlin, H.: *Eltern und Kinder. Das Drama von Trennung und Versöhnung im Jugendalter*, Frankfurt/Main 1975; Stierlin, H.: *Individualisation und Familie*, Frankfurt/Main 1989.

²⁰⁵⁾ Clear information on these problems was provided at the Enquete Commission’s closed hearing on “Children in sects” on 20 February 1997; cf. also the account of VPM in the Enquete Commission’s Interim Report, *Bundestag* Doc. 13/8170, p. 20f. and the description of Scientology in Section 5.2.4.4 of this Chapter.

determination in conveying the group's message. These missionary obligations can make it very difficult for children – who function as their parents' project and that of the new religious or psychocult milieus – to dissociate themselves and to find their own way. In doing so, they must bear the burden of the great demands made on them, with the resulting danger of constant feelings of guilt and shame. Here too the danger to the psychosocial integration and identity development of adolescents is not peculiar to the new religious and psychocult context. Similar problems may often be seen for example in families obsessed with success, or in the attitudes some parents adopt towards "child athletes"²⁰⁶) whom they urge on to high performance and maximum success.

5.2.6 Digression: Ritual abuse of children: An occult-Satanic phenomenon?

The following remarks are not intended to give the impression that child abuse is primarily a phenomenon observed in religious, ideological or cult milieus, a notion belied by the spread of child abuse across the most diverse life-styles and milieus. It is of course true that drastic forms of child abuse and even infanticide are repeatedly associated with occult and Satanic groups. Concerning these forms, characterised as "ritual abuse", there are now a number of first-hand reports from victims, psychiatric and psychotherapeutic case studies, and some investigative journalism. The Enquete Commission organised a special experts' discussion on this subject. Even though the information we have on "ritual abuse" is not at all reliable, and the quantity and quality of the reported offences must also often be characterised as lacking corroboration, the offences reported in the available case studies and in the Enquete Commission's debate do make it necessary to tackle the issue.

5.2.6.1 Ritual abuse, dissociation, multiple personalities

"Ritual abuse" is understood to mean forms of sexual, physical and psychological encroachment on children and younger adolescents (mainly female, according to the literature), which are accompanied by recurring symbols, actions and procedures of a cult-like or ritual nature. These regularly recurring "ritual actions" and symbols may, as the experts also confirmed during the hearing, be first of all the expression of a belief system, perhaps in the form of Satanic-magical rituals; secondly, such elements may be staged and exploited for the purposes of child pornography; thirdly, the elements may recur as part of the setting in cases of collective or individual child abuse, but without any religious or cult connotations; and finally, they may be carried to the point of compulsive psychopathology. In addition there are cases where experiences of abuse are construed in ritual-Satanic terms by the victims themselves.

²⁰⁶) Cf. the study conducted by Rose, L.: *Das Drama des begabten Mädchens*, Weinheim/Munich 1992, about childhood and the attitudes of adults towards youthful gymnasts.

From the available reports of treatment and accounts of personal experience, as well as from the experts' contributions in the Enquete Commission's discussion, the following may be gathered on the subject of ritual abuse:

Child abuse, beginning at an early age within the family or its immediate social environment, is accompanied by ritual settings which display violent features. The abuse may be regularly and repeatedly accompanied by images, performances, sounds, masks or quasi-theatrical productions, which frighten the children even more badly. In particularly severe cases, children are drugged or hypnotised, then induced to believe that monsters or bombs have been implanted in them to destroy them in case they should not remain silent. Other reports speak of children being threatened with dogs, the theatrical representation of demons, and feigned or genuine acts of animal or human sacrifice, which throw the children into extreme panic.²⁰⁷⁾

These forms may be components of cult actions, but may also be undertaken for the express purpose of subjugating children, without any religious connotations. The objective in such cases is the total subjugation and control of the child. The reports contain indications that even in the case of small children, deliberate manipulations are undertaken in order to turn them into controllable objects, e.g. for use by the sex industry. To achieve this, children undergoing abuse are said to be pushed to the brink of physical and mental breakdowns, in a combination of extreme horror, shock and physical pain (through burns, electric shocks, suffocation, etc.), sometimes to the point of "dissociation" of the personality. The children "resolve" the unbearable situation by splitting off their experiences and projecting them onto another person, imagining that all this is happening to someone else and not themselves; in this way, the children are able to "survive" these extreme traumatic situations. As an expression of the individual's attempt to deal with such extreme trauma in early childhood, several different personalities may appear, which "share" the threat, the suffering and the pain – personalities which can unconsciously coexist over long periods, change from situation to situation, perform a variety of functions for the overall personality, and which may be highly contradictory. This entails a breakdown in space/time co-ordination: One personality knows nothing of the actions and experiences of the other, and a third denies the actions of the first two. The experience of space and time fragments, and the presentation of the self may appear extremely contradictory and inconsistent in consequence.

²⁰⁷⁾ Cf. particularly the following scientific papers and case reports: Fröhling, U.: Vater unser in der Hölle, Ein Tatsachenbericht, Seelze-Velber 1996; *ibid.*: Rituelles Mißbrauch – Die Opfer schützen! Geheime Strategien und die Folgen für die Opfer, lecture at a meeting on "Sexual violence against girls and women – Protect the victims!" Saarbrücken 1997; Huber, M.: Multiple Persönlichkeiten, Überlebende extremer Gewalt, Ein Handbuch, Frankfurt/Main 1995; Spencer, J.: Das Martyrium eines Kindes, Frankfurt/Main 1995; Casey, J. F.: Ich bin viele, Eine ungewöhnliche Heilungsgeschichte, Reinbek 1992; Arbeitsgemeinschaft Kinder- und Jugendschutz Hamburg e.V.: Satanismus und ritueller Mißbrauch, Aktuelle Entwicklungen und Konsequenzen für die Jugendhilfe, Hamburg 1996.

These phenomena are now characterised by the concept of “multiple personality” or “dissociative identity disorder”. In the international Diagnostics Book of Mental Disorders (DSM III R), this psychopathological phenomenon is defined as follows: “(A) Existence of two or more different personalities or personality states within one person (each with their own relatively permanent ways of perceiving themselves and the environment, relating to the environment, and dealing with it intellectually). (B) At least two of these personalities or personality states repeatedly take full control of the individual’s behaviour.”²⁰⁸⁾ These dissociated personalities, according to the experts who discussed the matter before the Enquete Commission, can be “programmed” at the time they are deliberately induced.²⁰⁹⁾ In these extreme traumatic states of dissociation the new emerging personality can be conditioned, under the influence of drugs or hypnosis, to respond to commands or signals, so that it is amenable to long-term control. The personality in question can for instance be conditioned to absolute silence, obedience or even suicide, triggered by specific word combinations or symbols.

This kind of conditioning from early childhood, characterised as “mind control”, which is said to occur in extreme traumatic situations, makes it extraordinarily difficult to find out what may have actually happened. Clear and unambiguous testimony, e.g. about who did what, is hardly possible, to the extent that it is consciously accessible at all, if within a matter of minutes another personality takes over, one which knows nothing about what has just been described. In addition there are reports that children and adolescents are themselves forced to perform acts at an early age, thereby incriminating themselves.

5.2.6.2 Qualifications and question-marks

No attempt can be made here to establish definitively whether there is an adequate scientific basis for the diagnosis of “multiple personality”.²¹⁰⁾ In any event, to put things in perspective it is necessary to be mindful of the following aspects, which are an expression of the uncertain state of our knowledge:

- a. The wide range of possible “ritual” settings and their backgrounds makes it clear that the utmost caution is called for in identifying these phenomena as a typical feature of religious and cult activities in the occult-Satanic area. It should rather be assumed that there is a spectrum here, one which also includes quasi-religious rituals in the narrower sense, but is in no way confined to them. There are indeed clear references to such groups in the reports and case studies, but they are probably responsible for only some instances of ritual abuse. It thus remains doubtful whether most of this sort of child

²⁰⁸⁾ Cf. in Huber, M. Multiple Persönlichkeiten, Frankfurt/Main 1995, p. 26.

²⁰⁹⁾ Cf. the account in Fröhling, U.: Vater unser in der Hölle. Seelze-Velber 1995.

²¹⁰⁾ Cf. the brief but informative overview in Tölle, R.: Persönlichkeitsvervielfältigung? Die sogenannte multiple Persönlichkeit oder dissoziative Identitätsstörung, in: Deutsches Ärzteblatt 94, Vol. 27, 1997, pp. 1868–1871.

abuse does in fact take place in religious or cult contexts, or whether instead these are not offences committed in the framework of organised psychopathological child abuse, up to and including “commercialised” forms of child “exploitation” for the purposes of child pornography as part of the sex industry. This is a grey area which requires detailed investigation.

- b. One serious problem is the platform that the case reports are based upon. There can be no doubt about the suffering and trauma expressed in the reports and treatment case studies. But the therapeutic working-through of these experiences does not so much yield images of criminal acts as render accessible – to the extent the therapy is successful – “more deep-seated” images of the patient’s own sufferings and those of the other reference persons involved (parents, other members of the family, etc.), in which displaced, split-off and hence inaccessible dimensions of the patient’s own experience can be worked through. But it is questionable whether these scenes are an accurate reflection of a past reality, or a component of the individual’s own psychological experience and psychological construction. So it is hardly possible to establish whether a particular recollected scene actually happened in precisely that form, with those particular persons. In the therapeutic process this is also less important, since what matters is always the emotions evoked by the scene and their working-through.

To identify accounts of therapy and descriptions based on them as reports of actual events is therefore to misunderstand the status of therapeutic knowledge and therapeutic insights, even though the fact of trauma can become evident in such reports. The problem is particularly acute in the case of multiple personality combined with ritual abuse: Each personality has its own history and needs to recall it, reviving images, scenes and events. Each personality has a different set: Which of these qualifies, supplements, contradicts or corrects which others? What happens if in the course of therapy a central personality segment becomes inaccessible? In working with multiple personalities, then, the problems are compounded if one tries to use the therapeutic scenes as scenes from a past reality, as images of actual events and criminal actions.

- c. There are references in the reports to extensive forms of “mind control” and “programming”, behind which there supposedly exist groups with a centralised structure which train children for their own purposes – sacrifice, abuse, prostitution, snuff videos (videos in which people are actually killed).²¹¹⁾ Even if individual descriptions (some even with references going back to the Nazi period)²¹²⁾ are highly plausible, there is as yet little justification for the assumption – or rather the speculation – that these practices are widespread.

²¹¹⁾ Similar views were expressed by the women experts who talked to the Enquete Commission; cf. also the accounts in Ulla Fröhling, 1995 and 1997.

²¹²⁾ The women experts told the Commission in this connection that to their knowledge whole families were sometimes still structurally caught up in the Nazi past.

5.2.6.3 How widespread are these practices?

The need to tread a fine line between sensationalising and trivialising ritual abuse in connection with occult or Satanic trends is also necessary when it comes to data on the incidence of ritual abuse. At an experts' meeting on "Sexual violence against girls and women", it was reported that a survey of the German section of the "International Society for the Study of Dissociation" had come up with 305 cases from 61 locations in the Federal Republic of Germany, and that this was a minimum value.²¹³⁾ In view of the novelty of multiple personality disorder as described, associated problems of diagnosis, and the far from comprehensive study of the subject, it was felt this was a shockingly high figure, indicating a clear need for action.

This contrasts with data from the Federal Office of Criminal Investigation and the state-level offices of criminal investigation: In response to an inquiry from the Enquete Commission, only four of the state-level offices reported past or current investigations or offences reported in connection with Satanism and ritual abuse. In Brandenburg, for instance, proceedings in connection with child abuse and pornographic videos in a Satanic context which had been suspended were resumed after videos were found. The Lower Saxony Office, in its reply to the Enquete Commission of 28 May 1997, mentioned a complaint filed by a young woman and extensive investigations in connection with abuse and Satanic cults: The upshot was that the allegations "in the core areas proved to be untrue and contradictory" (p. 4). The most thorough investigation to date is probably that undertaken by the Office of Criminal Investigation of the North-Rhine Westphalia: Its April 1995 report on "Occultism and Satanism" states, about the ritual sexual abuse of children, that police investigations had as yet failed to substantiate the existence or extent of the criminal acts depicted. Nevertheless, the report assumed that such cults do exist. It is noteworthy that the descriptions of ritual abuse, whose victims are almost exclusively female, closely resemble one another or are even in part identical. The following actions are repeatedly reported:

- The performance of certain rituals (animal sacrifice, rape, torture, smearing of – naked – women with animal entrails, eating faeces, etc.), the killing of infants specifically born for this purpose by female members of the cult or smuggled in from Third World countries or Eastern Europe,
- video documentation of the above actions.

Whether these extremely grave criminal acts are committed frequently or indeed at all (underlined in the original) is open to doubt.²¹⁴⁾ All in all, the conclusion is that Satanic crimes, because of their sensationalist treatment in the media, are probably exaggerated, and – given that no such grave crimes have yet been proved – represent "more a qualitative than a quantitative problem, if any".²¹⁵⁾

²¹³⁾ Cf. Fröhling, U.: *Ritueller Mißbrauch – die Opfer schützen! Geheime Strategien und die Folgen für die Opfer*, Saarbrücken 1997, p. 8.

²¹⁴⁾ Cf. Landeskriminalamt Nordrhein-Westfalen: *Sonderauswertung "Okkultismus/Satanismus" – Hintergründe, Straftaten, Bewertung*, April 1995, p. 22.

²¹⁵⁾ Cf. Landeskriminalamt Nordrhein-Westfalen, loc. cit., p. 41.

Thus, the result of the survey of state-level offices of criminal investigation is that almost nothing is known, and that where there are suspicious circumstances, investigation has thus far failed to substantiate the suspicions. However, the North-Rhine Westphalia Office assumes that such groups exist and emphasises the provisional nature of its findings. In addition, the information provided by the state-level offices should not be overestimated because there is evidence pointing to statistical and classification problems.

5.2.6.4 Ritual abuse: Summing up

The “data” available thus appear to be contradictory: On the one hand, minimum figures that have to be characterised as bordering on the dramatic, based on an inquiry that was less than comprehensive; on the other, no corroboration of suspicious circumstances by police and other investigating authorities. This largely contradictory data situation – especially the failure of the authorities to establish any hard facts – should not, however, lead us to regard the media reports and accounts of treatment as without foundation. The very gravity of the events described precludes this. What has been said about dissociation and multiple personality disorder shows why it is plausible that investigations of such matters may be particularly difficult, and that proceedings may be quickly dropped. Given the nature of the offences, this has considerable implications. Special police training, increased sensitivity to phenomena of ritual abuse, and also more intensive investigation of this area – conducted in such a way that at first sight “weird” and apparently “incredible” testimony does not derail the proceedings and lead to their early abandonment – would appear appropriate. On the other hand, because of the uncertain data situation there are also no grounds for dramatising a “Satanic threat”. It should be stressed that there is no reliable evidence to suggest that it is widespread, or in particular that there is ritual abuse in “Satanic” contexts. Offences that may be committed in this area must moreover be clearly distinguished from youth-culture forms of a stylised playing with occult and “Satanic” symbols, so as not to expose adolescents to a stigma that could have far-reaching consequences for them.²¹⁶⁾

5.2.7 Conclusions

It should be emphasised that educational processes with a religious or ideological slant, expressed in a variety of forms, are a self-evident part of modern culture. The concern of the Government must be to preserve and secure this ideological and religious diversity.

Educational processes with a religious or ideological slant give rise to conflicts only where they are harmful to the physical, mental and emotional integrity of children and adolescents. Only then is governmental intervention in ideological

²¹⁶⁾ Cf. also the remarks in the Section on Occultism/Satanism in this Report under Chapter 3.4.

or religious training as practised in families, milieus and educational institutions legitimate. Dangers of this kind are to be found in new religious or ideological communities or movements and in psychogroups. But these dangers can in no way be regarded as universal, and need to be examined and diagnosed on a case-by-case basis. The question of whether these dangers are generally more prevalent in such groups and movements than in other milieus and life-styles cannot yet be adequately assessed, and the question must therefore remain open.

The Enquete Commission has come to the conclusion that the existing laws for dealing with such conflicts and threats as do arise are sufficient. It should however be noted that Article 4 of the Constitution cannot be misconstrued as legitimising child abuse. Freedom of religion here meets one of its limits.

The Enquete Commission submits the following recommendations:

- a. Further objective information of the harm done to children in the context of religious and ideological milieus and groups, and steps to raise awareness of such matters, conducted in a manner that avoids unwarranted generalisation. This exercise should seek to avoid either playing down child abuse, or making unwarranted generalisations, with the danger of stigmatising new religious and ideological milieus and groups.
- b. This action, in the form of further education, should primarily target youth workers, teachers and educationalists in general, as well as counselling centres, and lawyers and investigating authorities. Efforts should be made to widen opportunities for further education in this area.
- c. It must be assumed that the problems and conflicts which arise among parents, children, adolescents, relatives and their environment create a clear need for counselling. Efforts should be made to improve the structure of counselling services and to render them more professional.
- d. There is an urgent need to improve the state of knowledge about the situation of children and adolescents in new religious and ideological communities, movements and psychogroups. The primary requirement here is for empirical scientific studies on the upbringing and life experience of children and adolescents who grow up in these groups and milieus. In particular, the phenomena of “ritual abuse” require further elucidation.

5.3 Economic aspects

5.3.1 Introduction

The Enquete Commission has already looked at the business activities of new religious and ideological communities and psychogroups in its Interim Report.²¹⁷⁾ In a series of hearings and a written survey of business associations

²¹⁷⁾ Interim Report of the Enquete Commission on “So-called Sects and Psychogroups“, German *Bundestag*, 13th legislative period, *Bundestag Doc.* 13/8170, 1997, p. 31 ff.

it examined the influence of new religious and ideological communities and psychogroups in the business world.

The Commission has continued to include the literature available on the subject in its analysis. It must be pointed out, however, that there is so far no single systematic account of the subject. These publications usually deal with isolated cases connected with individual groups. The vast majority of accounts concern the Scientology Organisation.²¹⁸⁾ However, in the last few years, an ever wider variety of suppliers of the psycho / counselling market which has grown up over the past 25 years, have been the subject of critical investigation. We have in mind in particular suppliers of seminars and courses in personality development and/or company and management counselling. More recently, attention has also focused on the activities of pyramid schemes / multi-level marketing firms, the crudest form of which are the “snowball” systems.

There is a very fine line between organisations referred to as new religious and ideological communities and psychogroups on the one hand and training or direct marketing companies in the business community on the other, and the methods used by new religious and ideological communities and psychogroups are also applied in special firms.

The following areas have proved problematic:

- infringements of social and employment regulations,
- the risk of the illicit collection of information and data,
- the attempt through cooperation to build up a strong position in a certain market segment, e.g. transition market from rental to owner-occupied accommodation,
- risk of action by members/employees or firms in respect of white-collar crime,
- deliberately inflicting economic damage on people with little or no experience of such things, including the use of dubious methods and means,
- growing mutual mistrust resulting from covert action by groups and corresponding counter-measures, including the risk of damage to reputation caused by the spread of rumours about affiliation with a particular organisation.

The Enquete Commission is in possession of information, documented by a huge number of individual cases, where firms and/or individuals have been harmed by new religious and ideological communities and psychogroups.

The fields of activity and their attendant types of problem caused to individuals and firms often differ from one sector to another. What is clear is that a wide variety of groups is endeavouring through training courses, management and

²¹⁸⁾ Cf. Christ, A./Goldner, St.: Scientology im Management, Düsseldorf 1996; Hartwig, R.: Scientology – Die Zeitbombe in der Wirtschaft, Pfaffenhofen 1994; Potthoff, N.: Scientology und Wirtschaft – Der WISE-Report, Krefeld 1994; Zeisel, A.: Scientology in der Wirtschaft. Gefahr erkannt – Gefahr gebannt, Munich 1997.

training instruction to reach people who as members of their organisation may be financially strong and/or important to the group in the dissemination of its ideology and technology. Simultaneously, the group's ideology and behaviour are introduced into the business community through the training and instruction programmes and behaviours. A distinction should no doubt be made here between leadership training programmes and other areas. Inevitably things become especially tricky when, as a result of "mind training", group membership causes employees to become so divorced from reality that their affiliation with the group becomes stronger than their orientation to the generally accepted rules and objectives of economic and social management. This is usually associated with a loss of loyalty towards the employer. The risks to the company concerned may even include betrayal of secret information.

It is important to realise that members of certain problematic groups not only operate in the business sector to make money for their group, but that business activity may actually be a part of the group's strategy. It means that firms which look fairly ordinary at first sight may in fact be – or are supposed to be – spreading the group's ideology in the business world.

Another important aspect in this regard is the situation of the employees of such firms. Dependence on the group's system and ideology implies that social and employment regulations or minimum standards may be ignored. For some groups this approach is actually inherent in the system. It extends from sham self-employment, with its familiar problems for the individual, through to involvement by employees/members in criminal activities.

To do justice to the phenomenon as a whole, we must draw a distinction. We must also look into the area of what is known as pyramid selling or multi-level marketing systems, which is a steadily growing market in Germany.

For the same or similar mechanisms for spreading ideology and creating psychological bonds with employers are at work here and in association with the specific form of company or scheme structure, particularly in the sphere of employment and social legislation (e.g. sham self-employment), they can cause enormous problems for the people concerned.

5.3.2 Examples of commercial enterprises

A. The Scientology Organisation

The Scientology Organisation's associations that operate as suppliers to the "psychomarket" are, according to a ruling by the Higher Administrative Court in Hamburg in proceedings relating to the *Scientology-Kirche Hamburg e.V.* of 6 July 1993, classifiable as commercial enterprises operating with the intention to achieve profits. In its press release at the time of the pronouncement of the judgement, the Court stated:

“An intention to make profits from the sale of books and from courses is evidenced in particular by the Church of Scientology’s aim to persuade its members to sell more books and, above all, to take part in further, ever more expensive courses. ... Rather, the Court has gained the impression that the Church of Scientology has endeavoured to conceal its income”

Alongside the manifestly commercial activities of Scientology’s units, which in Germany take the form of associations, we should also take a close look at the umbrella organisation of private-sector firms ascribable to the Scientology Organisation:

World Institute of Scientology Enterprises (WISE)

In common with all areas of the Scientology Organisation, WISE is well organised at the international, continental, national and regional level. The leading international director for WISE is a member of the so-called Watchdog Committee, on which body the international managerial level of Scientology is represented.

At an annual meeting of the International Association of Scientologists in 1990, the International Director for WISE described the organisation’s tasks as follows:

“We now have many spheres of influence throughout society as a result of applying L.R.H. (L. Ron Hubbard) technology in many different areas. One such area is the business world in which we are replacing a jungle of out-ethics and arbitrary solutions with the standardised administrative technology of L. Ron Hubbard. This is happening through the World Institute of Scientology Enterprises = WISE. WISE aims to introduce ethics into the business world and to ensure that through the dissemination of L.R.H.’s achievements reason prevails in the field of administration. With thousands of members in over 22 countries WISE is acquiring an ever greater influence over society. A number of major global companies have received services from WISE members. ...”

In internal WISE documents the terms of reference of this umbrella business organisation are described as follows:

“... WISE is a an association of people in the business community who use the L.R.H. technology of administration in their daily lives. It is the most powerful management tool in use today. Regular application gives a strong boost to every business, of whatever kind. Although the L.R.H. administrative technology can be used in different ways, every type of business activity can be appropriately assigned to the right WISE category and classification. For every category and class of membership there are specific services available to the members”

Based on these internal instructions, the spheres of influence are defined according to category and membership within WISE.

For example, company membership has the following task: “This type of membership encompasses all firms, companies, public service providers and/or organisations desiring membership of WISE to improve their working conditions through the standard application of the administrative technology of L.R.H. and to disseminate this technology in the business community at large.”

The highest ranking members within the WISE organisation, the “Chief Executive Officers” (CEOs), are assigned the following task: “This membership is useful to those who are working strategically to introduce the administrative technology of L.R.H. into the top companies of their country, other associations as well as local, regional and national authorities.”

The terms of reference of WISE can only be described as a strategy for infiltrating the business community. The statement by WISE’s first-in-command that WISE’s task is to introduce “ethics” into the business world is surely testimony to that (though the Scientology definition of ethics is meant).

What sort of risk this represents to the business community was established by the sub-committee on “criminal law” in its report to the 64th Conference of Ministers of Justice on 17 May 1993 in the section “General economic activities of Scientology members in Germany”:

“... However, in view of the individual’s absolute subordination to the hierarchy of the Scientology Organisation there is a danger that the destiny of an economic enterprise managed by a scientologist will be determined not by general market considerations but from the viewpoint of the well-being of the organisation, with unforeseeable consequences for employees and business partners. ...”

A striking example of the treatment of employees is to be found in a ruling by the Federal Labour Court (BAG) of 22 March 1995.²¹⁹⁾ Among other things, the Court considers “contemptuous” “the way the defendant tried to drive his employees to the limits of their output. (...) Those who apply, or allow to be applied to themselves methods which are reminiscent of a “snowball system”, run the risk of substantially damaging their health.”²²⁰⁾ The plaintiff in these proceedings worked for the Hamburg branch of the Scientology Organisation for some 60 to 100 hours per week. Holiday was permitted for a maximum of 14 days per annum, and the choice of holiday destination and holiday activity was not free but prescribed by the organisation and had to be approved by it. For this work an annual salary was paid of between DM 4,030 and DM 5,326.50. In exchange, the employee had to pay DM 17,449 for courses and course material before joining the organisation. The Court described this activity as an employment relationship, and consequently a fair wage had to be paid by the organisation and minimum standards of employment – e.g. compliance with the Federal Holiday Act – had to be observed. In that connection the court expressly found

²¹⁹⁾ Neue Juristische Wochenschrift 1996, p. 143 = NZA 1995, p. 823.

²²⁰⁾ Neue Juristische Wochenschrift 1996, p. 149.

that the creation of an obligation to work based on legislation relating to associations may not lead to the circumvention of mandatory protection provisions within employment law. Furthermore, the Court ruled that the association *Scientology-Kirche Hamburg e.V.* was not a religious or ideological community within the meaning of Article 4, 140 German Constitution and Article 137 of the Weimar Constitution.

Rather, it was an organisation with commercial character and a contemptuous attitude towards humanity.²²¹⁾ The Commission knows of other cases where employees or trainees in scientologically managed enterprises have been persuaded to go on extensive courses with the organisation, leading to their (over)-indebtedness. Such behaviour is diametrically opposed to the principles of employment law, especially the ban on ideological promotion in the workplace by the employer.

B. Kaizen Academy²²²⁾

From the evidence of media reports, analysis of the available documentation and a hearing with a woman who had been involved with this group, this is a hybrid form of pyramid selling (in the form of the snowball system), psychotechniques which members must learn, and an ideological background.

Kaizen or the *Leadership Academy AG* is among the marketing systems which do not offer any products to prospective recruits in exchange for the required payments. Unlike direct marketing systems, which at least offer their customers and subsequent distributors a range of products which are then supposed to be sold on by individuals, this network of firms expects members to pay a sum of money in return for the mere promise that the money will grow and each contributor will be able to have a large share.

Acquisition of a share certificate by a recruit normally means attending one of the group's seminars. Recruits are required to attend such seminars as "Success Training", the "Dolphin Strategy Seminar" or the "Fire-Walk" seminar which, according to internal promotions, are part of the overall system. A letter to members of 1996 states:

"The whole structure of the firm is attributable in particular to the active training of many business partners in the wide-ranging seminars. Regular attendance at the broad range of high quality training courses offered has contributed greatly to personality development and team spirit."

In contrast to the pyramid type of marketing along the lines of the snowball system already occupying the criminal justice authorities and practised by Kaizen (potential infringement of Section 6c of the German Fair Trade Act), there are other elements involved here which suggest that Kaizen is a closed system

²²¹⁾ See the very detailed accounts in NJW 1996, p. 143 ff.

²²²⁾ This is not the management consultancy model of the same name developed by Masaaki Imai.

applying many of the familiar methodological approaches used by other psychogroups.

Kaizen recruits, for example, receive a type of training which in other areas is used for personality development. The method applied is Neuro-Linguistic Programming (NLP). The publicity of the NLP trainer for Kaizen members/employees contains, among other things, NLP rhetoric courses and mind training along NLP lines.

As far as the ideological background goes, former Kaizen devotees report that the book "The History of Secret Societies" by Jan van Helsings had been warmly recommended to them as important reading. This publication contains anti-Semitic elements and is not currently available in the Federal Republic of Germany on account of legal disputes.

In common with other psychogroups, Kaizen sets out to achieve total expansion of the group. Members and employees are sent "motivational letters" containing references to unrealistic targets for seminar recruitment and generation of foreign exchange, and to the material independence which can allegedly be attained. The entire set-up at Kaizen is calculated to give the individual the impression that he/she is personally participating in the profits of the company as a whole.

Organisations operating financial investment schemes according to the snow-ball system have already attracted public attention as well as the attention of the criminal prosecution authorities. Considering too the size of the organisation's turnover, it has to be said that Kaizen is a problem group geared to expansion, whose conduct is harmful at the individual and macro-economic level. A critical eye must be kept on the Kaizen system and its practices for that reason and because of its members'/employees' manifest dependence on the system.

C. Holistic Isis Centre

There is a huge amount of esoteric and "spiritual" training on offer, and a great many problems arise in that context. The Psychological Training Centre (Holistic Isis Centre) is a topical example.

Its leader, psychologist Ms H. Fittkau-Garthe, was for many years a member of Brahma Kumaris.²²³) She founded the Holistic Isis Centre after her separation from Brahma Kumaris when she began little by little to accept divine homage on her own behalf.

The Psychological Training Centre in Hamburg was built up on the basis of Ms Fittkau-Garthe's experience with Brahma Kumaris. It offered training courses to the business community as well as publishing *Leitfaden für Führungs-*

²²³) The Brahma Kumaris group is built around devotion to an Indian guru, no longer alive, who is referred to as Baba (father). Baba is said to have divine qualities, e.g. the imparting of divine messages to his followers.

kräfte (Guide for Managers), which expounded the ideological background to the seminars offered.

Under the title *Geistige Gesetze in praktischer Anwendung* (Mind Laws and their Practical Application), business managers were introduced to meditation techniques in line with the spiritual ideas of Ms Fittkau-Garthe.

Here, too, it was not immediately obvious to potential recruits that behind the “Guide for Managers” was an ideology derived from a particular Indian community. Devotee recruitment began with the offer of awareness training, which would bring success to the individual and the firm alike. Significantly, the first chapter of what we take to be the fundamental book of the Psychological Training Centre carries the title *Hohe Belastungen verlangen große innere Kraft – Bewußtseins training – Hilfe zur Selbsthilfe für Manager* (High levels of stress require high levels of inner strength – Awareness training – Help for self-help for managers).

Ms Fittkau-Garthe has run personality development courses in major German enterprises²²⁴) and succeeded in disseminating her own brand of philosophy leading to personal dependence, at conferences on industrial psychology and organisational psychology, for example in Bad Lauterberg. The title of her presentation at that conference was, characteristically: “The model of the future: Management by release of the mind’s supreme leadership energy”. We would recall that in early 1998 some of Ms Fittkau-Garthe’s devotees were expecting the world to end, causing much serious conflict.

This example, in its very topicality, shows clearly how an ideology and a doctrine can evolve from a particular religious position and become a threat to the group’s own members. The spread of this ideology through seminars and training courses in the business world shows how easily such ideas can penetrate into the boardroom.

5.3.3 Pyramid selling and multi-level marketing systems

This shows that in respect of their structure, recruitment techniques and objectives-driven training courses, problematic groups may at first glance be taken for companies operating according to a marketing method which originated in the United States. That is why the line between pyramid selling and multi-level marketing systems on the one hand and problematic groups in the psychoscene on the other, is blurred.

Whilst in the case of the classic franchise company it is fair to speak in terms of a transparent corporate system, the situation is far less clear in the booming market of pyramid selling and multi-level marketing systems.

²²⁴) Cf. Der Spiegel, 12 January 1998.

As a rule, a serious franchise company will bind its employees to the products and company through licensing agreements so that the relationship is legally clear-cut and justiciable. Normally, the parent firm's interest is in setting up a sales network through its own outlets, centrally managed promotion, standardised shop fittings and fixtures and the marketing of a range of goods with a small core staff. This form of conducting business is long established in the Federal Republic of Germany. Of course, even with this form of business arrangement, licensees may find themselves tied so tightly by the clauses of their contract to the parent company that for years they are denied any other way of earning a living. However, given expert legal advice, the damage sustained by an individual should be fairly limited.

The classic pyramid sales firms are arranged in the shape of – a pyramid. Potential collaborators normally have to make advance payments by purchasing company products. In many cases they tie themselves into the firm through long-term contracts and, irrespective of whether they have sold the products they have already bought, undertake to purchase ever more goods. Special training courses are held on marketing these products and alongside the marketing strategies participants are also introduced to the firm's ideology. Now and again such companies are grouped by the media together with "sects" and psychogroups because the firms take on their collaborators as "whole persons" and the company ideology can for some become a philosophy of life.

Multi-level marketing systems and the snowball gambling schemes can be grouped in the general area of pyramid firms. Multi-level marketing is a particular form of direct marketing, i.e. of direct selling by the manufacturer to commercial or private consumers, bypassing trade. There are many different types of pyramid sales companies. One form of multi-level marketing links the selling of goods to the recruitment of further sales staff through a seller already operating within the system. This produces a hierarchically organised chain of sales staff with a hierarchically structured system of commissions whereby all collaborators at every level of the hierarchy have a financial share in the business generated at the lower hierarchical level. This system of reward by turnover with the prospect of rising to a higher level in the hierarchy where there are opportunities for sharing in more commissions from lower levels, creates among all the employees a strong psychological incentive to canvass for sales.

A similar strong incentive to recruit new customers is also provided by the profit expectation systems known as pyramid or chain games, which constitute a particular type of pyramid selling. They are distinct from pyramid firms in that no goods or services are sold, only the expectation of profit. Otherwise the two forms are structurally and functionally similar. Rewards to employees (players) for recruiting a new employee generate expansionary dynamics within a self-organising system.

5.3.4 Pyramid selling as a so-called “commercial cult”

As a way of further enhancing the dynamics of the system, employees receive systematic mind training to increase their sales motivation and further increase employee recruitment. This influence may even extend into the home if staff are obliged, for example, to internalise the firm’s objectives from cassette during their free time, e.g. to be emotionally conditioned. The cost to individuals of this kind of excessive indoctrination and conditioning to company targets can be the loss of a private life. The firm may eventually become a substitute family. Thus this sort of management and control of employees using methods of behavioural psychology is quite rightly termed “commercial cult” in the United States.²²⁵⁾

If meditation exercises are added to intensify training of the mind, an enterprise is very similar to the type of total group with quasi-religious characteristics. Employees are exposed to a greater risk of exploitation and even psychophysical breakdown. A distinction between these and the “psychogroups” (psychosects, psycho-firms) can no longer be made.

Cult-like pyramid organisations, to which the Scientology Organisation in certain respects belongs,²²⁶⁾ are inventions of instrumental reason and not the expression of religious faith. Instrumental reason uses utilitarian criteria to determine its goal, and it then attempts to achieve that goal through rationally calculated means. In the case of a pyramid selling firm, the goal is the sale of a product, and the means the creation of a strong organisation. If the sale of the product and membership in a pyramid selling organisation are elevated to the status of a “sacred commodity” and if the employees are directed towards this goal through emotional conditioning, the pyramid selling organisation becomes a quasi-religious commercial cult. While the danger of instrumentalisation is ever present for employees of a normal pyramid selling organisation, that danger is particularly acute where an organisation is elevated to a commercial cult.

The employees of this type of company are not normally protected by their contracts from losses, nor is the parent company prepared as a rule to give them legal protection in keeping with the social security regulations of the Federal Republic of Germany. Sham self-employment can cause serious problems for those concerned when demand is weak or if the pyramid selling firm collapses. The risk including, as a rule, the financial risk, is borne by the recruits and not by the company.

What is more, in this sort of system, employees are reduced to objects of technical availability and psychotechnical production.²²⁷⁾ The self-generating struc-

²²⁵⁾ Cf. Keden, J.: „Mit 40 bin ich Millionär“, EZW 9/97, p. 266 ff.

²²⁶⁾ Cf. Bayerisches Staatsministerium des Inneren, Das System Scientology. Wie Scientology funktioniert, 25 Fragen mit Antworten, Munich 1998.

²²⁷⁾ Cf. Habermas, J.: Technik und Wissenschaft als „Ideologie“, Frankfurt/Main 1968; Höhle, V., Zur Dialektik von strategischer und kommunikativer Rationalität, in: Praktische Philosophie in der modernen Welt, Munich 1992.

tural coercion in this sort of system often means that the employees, who have to keep tabs on each other, are unable to break away or to behave in any but the prescribed manner. The strong pressure within the system may also mean that to achieve the unrealistically high targets set, employees use immoral and illegal marketing methods generally referred to in the trade as “hard sell”.²²⁸⁾

In any one case, however, it is difficult to judge whether the management of a pyramid selling firm has offended against common decency, especially as it is difficult to define manipulation in terms of social ethics. One such criterion would be whether the person influenced is, without his knowledge, being restricted in his freedom to take decisions and to act as a result of the influence brought to bear on him. Manipulation can always be said to exist where the influencing party seeks his or her own advantage and is knowingly prepared to cause damage to the other party, or where his or her own advantage can only be obtained by causing damage to the other party.²²⁹⁾

5.3.5 Profit expectation systems

Since the complexity of the overall problem was recognised by the Enquete Commission and because it is difficult to draw a line between ideological communities and psychogroups on the one hand and companies operating as pyramid selling organisations on the other, the Enquete Commission called upon a representative of the Public Prosecutor’s Office Munich 1 to inform them about pyramid selling organisations, especially customer recruitment in so-called snowball systems. The recruitment strategy used here is typical of the way shady firms, often through a ruse, persuade people to purchase products and recruit them at the same time (as new employees). The chain-pyramid profit-gambling systems run a particular risk of violating criminal laws, especially the German Fair Trade Act. They offer no products but expect recruits to make advance payments as a gambling stake. The case of Kaizen is a typical example.

Methods used by profit expectation schemes

The spread of profit expectation schemes, which hold out the prospect of pecuniary advantage to participants in exchange for an in-payment, on the condition that further participants are recruited, have recently become a social and legal problem, not just in Germany. In Albania schemes of this kind contributed to the collapse of the state. It is probable that over one quarter of a million people take part in such schemes in Germany.²³⁰⁾ The organisation of such

²²⁸⁾ The Scientology organisation also trains its employees explicitly in “hard sell” marketing methods on the instructions of L. Ron Hubbard (HCO-PL 26 Sept. 1979 III). In Switzerland, this led to the sale of training courses to the mentally handicapped (Judgement of the Basle City criminal court of 10 June 1987, Ref. 773/1986; Judgement of the Zürich district court of 8 Aug. 1990, Ref. 19–1350/89).

²²⁹⁾ Cf. Lay, R.: Manipulation durch die Sprache. Rhetorik, Dialektik und Forensik in Industrie, Politik und Verwaltung, Berlin 1990, p. 13 ff.

²³⁰⁾ Willigmann, NJW 1997, 2932.

schemes constitutes, according to a recent ruling by the German Federal Court of Justice (*Bundesgerichtshof* – BGH), prohibited progressive solicitation of customers within the meaning of Section 6c of the German Fair Trade Act.²³¹⁾

Apart from the unlawful nature even of participation in such profit expectation schemes as defined in Section 6c of the German Fair Trade Act, the integration of new customers into the structure of the system and their management and control through the system (according to highly detailed instructions and using management and control techniques borrowed from individual psychology and social psychology) are usually highly manipulative and contrary to public policy. According to the representative of the Public Prosecutor's Office Munich 1, these gambling schemes usually have the following typical features:

System features

At promotional events, a system initiator encourages third parties to pay a sum of money (usually DM 5,000) into the scheme in order to join up. As a member, the new entrant is entitled to invite other people to promotional events so that they too can become members of the scheme on the same conditions. For the recruitment of these new entrants, the member receives commissions of, say, DM 1,000 for the first and second recruits and DM 2,000 from the third recruit onwards. This cycle continues ad infinitum.

The system promoter provides a number of services. In particular, the promotional events are organised by the system initiators, and they also run the scheme's computer-aided organisation and accounting systems.

The promotional events normally take place in hotels with as many as several hundred participants.

Psychological influences (examples)

Recruitment phase

New entrants are strongly urged at training courses ("business training") and through scheme documentation to bring as many other people as possible into the scheme and check out their whole environment for suitable persons. The intention is to arouse interest by a business-like appearance in a social environment where that sort of appearance is unusual. Details about the activities carried out must not be revealed when potential entrants are invited to an promotional event. Reference may only be made to an allegedly huge earnings potential. New entrants are handed written argumentation models.

Promotional events

The promotional events are minutely planned and follow a very precise pattern. They often take place on a Sunday evening in hotels. Business attire is required.

²³¹⁾ BGH 5 StR 223/97, judgement of 24 Nov. 1997

Loud music is played to try and create a relaxed atmosphere. Shortly after the start of the event the speaker presents a “standstill agreement” which participants have to sign and in which they commit themselves to payment of a “contractual penalty” of, say, DM 10,000 if they reveal anything about the contents of the event to third parties.

Only about half the participants are newcomers, the other half consisting of those who have invited the newcomers to come along and other people from the scheme, who naturally have a strong personal interest in recruiting as many new entrants as possible.

Occasionally the organisers ensure that the new entrants are seated between two existing members of the scheme to forestall critical enquiry.

One or more speakers try to fire the imagination of the newcomers and whet their appetite for a life of “lots and lots of money”. They present the scheme concerned as a way of acquiring almost unlimited funds for very little effort.

From early on in the event there are loud cheers, jumping up and down, clapping, whistling, standing on chairs etc. from those already in the scheme, who are under precise instructions.

Towards the end of the event, several hours later, participants have only a relatively short time to decide whether to join up. The pressure is sometimes stepped up even further when the final speaker announces that this is the only opportunity to join, that it will not be possible to join at a later date.

In the case of one scheme, whenever a contract was signed the music, by now restored, was turned down as the recruiting member held aloft the signed agreement shouting out “another new millionaire”, to which the other members of the scheme replied with loud cheers.

At that event 30-40 contracts were signed, representing an income of DM 150,000 to DM 200,000 for the evening.

“Bank appointments” and subsequent “care”

Many participants are from modest social backgrounds and very few of them carry the DM 5000 entrance fee around with them. Consequently, “bank appointments” are arranged on the Monday following the promotional event. The appointment is attended by the new entrant and a “supervisor” from the scheme. At these “bank appointments”, the amount is drawn from the entrant’s account or a loan is taken out and the money handed over to the carer who passes it on to the scheme’s initiators.

In the week immediately following recruitment the training courses mentioned above (“business training”) take place, in which new entrants are essentially instructed in how to recruit people for the promotional events from among their friends and acquaintances. They are also instructed in how to behave at these events.

The cult-like staging of promotional events and the supervision of customers until they have paid their share is reminiscent of the management and control of members practised by total groups, such as the Scientology Organisation and the Kaizen Academy.

5.4 International aspects of new religious and ideological communities and psychogroups

5.4.1 Comparable problems in other countries

5.4.1.1 Problem description and the Enquete Commission's mandate

The phenomenon of new religious and ideological communities and psychogroups has greatly exercised the countries of Europe since the seventies.

The Scientology Organisation in particular has long been surrounded by controversy, not only in the Federal Republic of Germany.

A great many of the new religious and ideological communities and psychogroups have an international presence in terms of their commercial and missionary activities. That is not in itself a problem, these being features of the Christian Churches, Islam and Buddhism as well. A number of the groups have their headquarters abroad (e.g. Scientology/United States; Moon or Unification Church/Korea, Transcendental Meditation/Switzerland, Osho/India) and/or their activities extend to one or more third countries (e.g. The Family in South America). From what we know from the literature, judicial rulings and the reports of counselling and information centres, their activities are not always socially or legally uncontroversial. The European Parliament's draft report on "Sects in Europe" also touches on these aspects.²³²⁾

It is not easy to gauge the full extent of the international activities of new religious and ideological communities and psychogroups. Some groups are considered to constitute a serious potential threat to democratic countries and to have high levels of criminal energy.²³³⁾ Crimes are on record which were committed by members or followers of new religious and ideological communities and psychogroups and were associated with membership of certain groups. In

²³²⁾ Cf. European Parliament, Draft Report on Sects in Europe, Committee on Fundamental Freedoms and Internal Affairs, Rapporteur Maria Berger, PE 223.630.

²³³⁾ See the ruling of the Court of Appeal for Ontario, Canada: Regina vs. Church of Scientology et al., 1997, translated into German by the *Bundessprachenamt*. Factual position: In the seventies, according to the ruling, the Guardian Office of Scientology instructed Scientology members to infiltrate public authorities (Province of Ontario police and the Ministry of Justice in Ontario) considered by Scientology to be their enemies. These members were employed by the authorities, and they passed confidential files to Scientology in violation of their official oath. The members, as well as Scientology as the instigator, were found guilty of breach of trust. With this ruling, judgement was passed for the first time against Scientology as an organisation. Along the same lines, nine high-ranking Scientologists – including Mary Sue Hubbard – were convicted of theft and conspiracy against the government in 1979 in the United States. We would also mention the lawsuits in Japan concerning the activities of Aum-Shinrikyô, cf. also Schwarzenegger, Ch.: Über das Verhältnis von Religion, Sekten und Kriminalität, Eine Analyse der kriminologischen und strafrechtlichen Aspekte am Beispiel der japanischen Aum-Shinrikyô-Sekte, in: Sekten und Okkultismus, Kriminologische Aspekte, Reihe Kriminologie, 14m Schweizerische Arbeitsgruppe für Kriminologie, ed. Bauhofer, St./Bolle, Pierre-Henri/Dittmann, Volker, Chur/Zurich 1996; Kisala, R.J.: Reactions to Aum: The Revision of the Religious Corporation Law, in: Japanese Religions, Vol. 22 (1, 1997), pp. 60–74.

recent years, some European parliaments have also looked into the subject in response to complaints and enquiries from concerned members of the public – not only about Scientology.

Some groups have little significance nationally, they are not involved locally in any serious political controversy and/or have attracted little public censure. Nevertheless, they remain a latent problem through being linked to international organisations that are significant and controversial elsewhere. One such example came to light at the hearing of Soka Gakkai, which in Germany is a fairly inconspicuous group of about 3,000 people, but is highly significant in Japan, the United States, etc.²³⁴⁾

The Enquete Commission realised that restricting its analysis and description of new religious and ideological communities and psychogroups to the territory of the Federal Republic of Germany would not do justice to the phenomenon.

A systematic account of the available literature on study reports from Europe has been lacking hitherto. Also lacking – and likely to continue that way – is a systematic account of court rulings in this field. The Enquete Commission is well aware that the present report cannot make good such gaps. That sort of work must be left to the scientific community.

The Enquete Commission, within the scope of its mandate, has set out to discover:

- the quantitative and qualitative dimensions of new religious and ideological communities and psychogroups in other countries and how they are regarded and assessed in the social context generally,
- what conflicts, problems and risk potential have emerged in that regard, if any, and what legal and/or other solutions the countries have devised,
- what action, if any, has been taken as a consequence of parliamentary reports of enquiry,
- what counselling and information facilities are available in other countries,
- what importance supranational institutions such as the European Parliament, the European Commission, the Council of Europe and the Parliamentary Assembly of the Council of Europe attach to this phenomenon, what options for international cooperation already exist, whether they are adequate and what others are required.

Political enquiry into the subject of new religious and ideological communities and psychogroups has generated the following reports:

²³⁴⁾ In Japan and the United States, Soka Gakkai is accused of infringements of the law, violations of human rights and extreme right-wing tendencies. Most of the literature, however, is only in Japanese (but see: Tsurumi, Y.: *An Unconventional Method for Killing America*. Tokura Shoten 1994, pp. 206 ff.; see also the controversy between Soka Gakkai International and Nichiren Shoshu put on the Internet in English e.g. [http:// coyote, accessuv.com...](http://coyote.accessuv.com...) and [http://members. aol. com/nichiheret...](http://members.aol.com/nichiheret...))

Australia 1965²³⁵) (parliamentary board of enquiry report, known as the Anderson Report, concerned solely with the Scientology Organisation); New Zealand 1969²³⁶) (report concerned solely with Scientology); Great Britain 1971²³⁷) (the “Foster Report” is concerned solely with the Scientology Organisation); Netherlands 1984²³⁸) (report concerned mainly with groups operating in the Netherlands, their influence on their members and the impact on national health); Israel 1987 (report of an interministerial commission to study sects (“new groups”) in Israel); Spain²³⁹) 1989 (main focus was to determine whether Spanish legislation was appropriate to controlling the phenomenon); France 1985 (known as the “Vivien Report”); France²⁴⁰) 1995 (deals generally with the phenomenon of sects in France and publishes a list of groups which are thought to constitute a danger to individuals and society); Belgium²⁴¹) 1996 (the aim was to devise a policy to combat the threat posed to society and individuals, especially minors, by the illegal practices of sects). In July 1997, the Enquete Commission presented its Interim Report, entitled “So-called Sects and Psychogroups”, to the German *Bundestag*. In April 1998, the Italian Ministry of the Interior presented a report on “Religious Sects and New Cult Movements in Italy”²⁴²) to the parliamentary committee on the Constitution. The object of the report was to gauge the threat potential of sects for anniversary year 2000. This report arrived too late for evaluation by the Enquete Commission.

In terms of their methods and objectives, the reports approach the subject-matter in different ways.

In consideration of the findings of these reports and to throw light on the above questions, the Enquete Commission held two hearings on 5 June and 22 September 1997 on the situation regarding new religious and ideological communities and psychogroups in Europe and approaches to dealing with them.

The hearing on 5 June 1997 was attended by Prof. Dr. James A. Beckford, United Kingdom, Prof. Dr. Massimo Introvigne, Italy, Dr. Nicola Corti, Switzerland,

²³⁵) Report of the Board of Enquiry into Scientology, Anderson, K.V., Q.C., State of Victoria, Australia 1965.

²³⁶) Hubbard Scientology Organisation in New Zealand and any Associated Scientology Organisation or Bodies in New Zealand, Report of the Commission of Inquiry, Wellington 1969.

²³⁷) Enquiry into the Practice and Effects of Scientology, Report by Sir John G. Foster, K.B.E., Q.C., M.P., Published by Her Majesty’s Stationery Office, London 1971.

²³⁸) Onderzoek betreffende Sekten, Overheid en nieuwe religieuze bewegingen, Tobias A.M. Witteveen, Tweede Kamer der Staten-Generaal, Vergaaderjaar 1983–1984, Doc. 16635, 1984.

²³⁹) Sectas en España, Enquete Commission, Joan Manuel del Pozo Alvarez, III Legislatura, Madrid, 1989.

²⁴⁰) Les sectes en France, Assemblée Nationale, No. 2468, Paris 1995.

²⁴¹) Enquête Parlementaire visant à élaborer une politique en vue de lutter contre les pratiques illégales des sectes et le danger qu’elles représentent pour les personnes, particulièrement les mineurs d’âge, Chambre des Représentants de Belgique, Session ordinaire 1996–1997, Bruxelles 1997.

²⁴²) Sette religiose e nuovi movimenti magici in Italia, Ministero dell’ Interno, Dipartimento della Pubblica Sicurezza, Rome 1998.

Rev. Thomas Gandow, Germany, Prof. Dr. Hans-Jürgen Kerner, Germany, and Prof. Dr. Nikos Passas, United States.

The aim of the hearing was to review the evidence and the allegations surrounding the international activities of new religious and ideological communities and psychogroups.

The “International Forum” on 22 September 1997 was attended by Ms. Ursula MacKenzie, United Kingdom, Prof. Dr. Alexander L. Dvorkin, Russia, Dr. George Krippas, Greece, Dr. Tobias Witteveen, Netherlands, Prof. Dr. Joan Manuel del Pozo Alvarez, Spain, and Prof. Stephen Kent, Canada. The event took place under the aegis of the Speaker of the German *Bundestag*, Prof. Dr. Rita Süßmuth, MP.

The aim of the International Forum was, first, to obtain information and opinions from countries for which no parliamentary reports on the phenomenon were available and, second, to determine how the recommendations from the reports had been translated into legislative or social practice.

In her opening address, the President of the German *Bundestag*, Prof. Dr. Rita Süßmuth, MP, made the point that the problems and conflicts connected with new religious and ideological communities and psychogroups have become more acute in the course of the past decade. She said it would be a mistake to assume, however, that the problems and conflicts could be solved without international cooperation in this field. She pointed out that this could be regarded as a result of the reports produced in European countries in recent years. She stressed that many of the groups addressed by the reports operated internationally and the problems and conflicts arising were not specific to any one country.

Ms Süßmuth also pointed out that the accusation that Germany was an intolerant country where personal liberties were disregarded must, however, be emphatically refuted. Article 4 of the German Constitution, which governs religious and ideological freedom, had served as a guiding principle for the Enquete Commission. Where other fundamental rights were violated, however, government had to intervene. There was no more to it than that. However, that was the difficulty for the Commission: to develop that point and to make recommendations for action.

5.4.1.2 Scope and scale of new religious and ideological communities and psychogroups

New religious and ideological communities and psychogroups are a social reality in Europe. They are regarded as an expression of a modern society in flux and of a pluralistic lifestyle. New religious and ideological communities and psychogroups are just one manifestation of this development.

The reports of European national parliaments and the outcome of the hearings of the Enquete Commission have shown that the problems resulting from this

phenomenon are similar within Europe. The scene does not vary a great deal from country to country; it merely displays one or two local features. The phenomenon has proved to be quantitatively and qualitatively difficult to evaluate.

All the experts agree that, in terms of quantity, new religious and ideological communities and psychogroups or new religious movements are a peripheral phenomenon in every country. Very few groups have an effective global or international organisation with structures in accordance. Not all internationally or globally operating groups are conflict-prone by any means, or at least not to the same extent. It should be noted that some of the groups are at an intermediate stage between stable institutionalisation and forms of informal organisation, so in most cases they are at the least socially tolerated, or actually accepted, integrated and inconspicuous. Official data and statistics from the European countries are not available. But data and figures on followers or members of groups are available, however, for the Federal Republic of Germany²⁴³⁾ from representative empirical studies, and for Austria from the Central Office of Statistics (Austria: 3.5 percent are said to be followers of groups which are not public-law corporations).²⁴⁴⁾ In Italy, it is estimated that about 1.2 percent of the population²⁴⁵⁾ are followers of so-called new religious movements. The other figures quoted elsewhere for Germany, as well as for Europe, are largely based on estimates. They put the number of members/followers in the vast majority of cases in a range of up to 2 percent of the population. This applies to a large number of otherwise unspecified groups.

Information on the number of groups in existence differs greatly, a function of the differing understanding of what sort of groups come under the category under review. For the Netherlands, the number of active groups is estimated to be about 2,000.²⁴⁶⁾ According to the French report, 170 sects were counted in France in 1995. For the United Kingdom, the INFORM²⁴⁷⁾ data base gives over 2,500 movements.

²⁴³⁾ Cf. German *Bundestag*, Interim Report of the Enquete Commission on "So-called Sects and Psychogroups", *Bundestag Doc.* 13/8170, 1997, pp. 33 ff.; see also Schmidtchen, G.: *Sekten und Psychokultur*, Freiburg, Basle, Vienna, 1987; *ibid.*: *Wie weit ist der Weg nach Deutschland? Sozialpsychologie der Jugend in der postkommunistischen Welt*, Part 2, on behalf of BMFSFJ, 1996; Fokom Institute: *Neue religiöse Organisationen und Kultpraktiken*, 1993.

²⁴⁴⁾ Information from Dr. F. Valentin, adapted from Central Office of Statistics, Austria, at the "International Forum", organised by the German *Bundestag*, Enquete Commission on "So-called Sects and Psychogroups" on 22 September 1997.

²⁴⁵⁾ Of this number about one-half are said to be followers of Jehovah's Witnesses. There could therefore be no question of an "invasion of sects", according to Prof. Dr. M. Introvigne.

²⁴⁶⁾ Quoted from Dr. T. Witteveen, Netherlands, at "International Forum" organised by the German *Bundestag*, Enquete Commission on "So-called Sects and Psychogroups" on 22 September 1997.

²⁴⁷⁾ INFORM = Information Network Focus on Religious Movements. Of the few movements that give rise to public concern, the following are mentioned: The Family with approx. 200, ISKCON with 600, the London Church of Christ with 1,500, the Unification Church with 350 and Scientology with approx. 1,000 active followers.

5.4.1.3 Legal framework

Constitutional law / fundamental right to religious and ideological freedom

From the experts' opening statements at the Enquete Commission's hearings, it was clear that in their respective countries the situation regarding the manifestation of, and social response to, the phenomenon is influenced by specific individual and socio-cultural variables.

The participants were unanimous in the view that a changing socio-economic context brings with it a change in social and individual values. One form of its expression was the orientation of the individual within a new religious or ideological movement. Being able to live out such forms of expression was part of the democratic constitution of countries. The reorientation was not a sign of disinterest in religion or ideology as such.

An analysis of the available information shows a broad social consensus in Europe that the fundamental right to freedom of religion and conscience should not be subject to restriction. There is a feeling that Government should maintain a neutral religious and ideological stance. Of course, it was important to ensure that this fundamental right was not used as a cloak for the pursuit of other interests and objectives (economic, political or other). Evidently, therefore, while formal laws should not restrict religious freedom, they must come into play where the fundamental rights of the individual or protected legal interests were being violated. It was the duty of Government to protect its citizens in this regard. Everyone had the right to practise his or her religion freely, as long as it did not conflict with the laws in force or offend against common decency.

Dr. Witteveen of the Netherlands raised a problem at another level, namely participation in social life through religion practice inevitably bringing contact with various areas of the legal order and thus perhaps unwittingly provoking conflicts and problems. It was easy to endorse restrictions on religious freedom through formal laws, e.g. no human sacrifices were to be made, or in the case of polygamous religious views. The problem was more difficult, he explained, when Muslims believe that animals could be slaughtered for religious reasons.

In Eastern Europe, the issue has acquired a particular relevance following the fall of Communism. We will take the situation in the Russian Federation as an example.

The Russian Constitution of 12 December 1993 addresses the subject of religion, religious associations and ideology²⁴⁸⁾ in Articles 13 (pluralism), 14 (equality of all religions), 19 (principle of equality), 28 (freedom of belief, conscience and religion) and 29 (freedom of expression, ban on censorship). Most of the fundamental freedoms are not subject to any special proviso, though all of them are subject to the general constitutional proviso of the non-violation of the rights of third parties (Article 17 [3]).²⁴⁹⁾ The Russian Parliament (Duma) passed a law

²⁴⁸⁾ Constitution of the Russian Federation, 12 Dec. 1993, in: EuGRZ 1994, pp. 519–533.

²⁴⁹⁾ Cf. Schweisfurth, Th.: Die Verfassung Rußlands vom 12. Dezember 1993. Entstehungsgeschichte und Grundzüge, in: EuGRZ 1994, p. 486.

in 1990 on religious freedom. The law was based on the assumption of the equal treatment of all religions and it established the ban on religious instruction in public schools. The law was based on the American model and an association of ten persons who designated themselves a religious organisation was sufficient for official registration as a religious organisation. There was no provision for refusing registration. In the amended version of 1997, the Russian Orthodox Church's special role as the traditional religion is emphasised and reference is made to the importance of Christianity as the traditional moral authority. Under the new law, Islam, Buddhism and Judaism are named alongside Christianity as traditional religious faiths.²⁵⁰) Under the terms of the law, only organisations that have operated in Russia for at least 15 years may be registered as religious organisations (Article 9). All other religious communities are subject to restrictions.

Civil and criminal law

An international comparison shows that nowhere, at least not in the Western industrialised nations, is there specific civil or criminal legislation governing sects, but that complaints or actions brought by the public are dealt with by means of the usual instruments of statute law or the law as established by the courts.

Great Britain

Religious organisations cannot be registered in England and Scotland as legal entities just because they are religions, according to Prof. Dr. Beckford, and insofar as they run commercial operations, they must register as firms. If they wish to be recognised as charitable organisations and enjoy the associated tax privileges they must apply to the supervisory board responsible (the Charity Commissioner). The Charity Commissioner does not grant tax exemption, but normally the fact of recognition is sufficient to obtain tax exemption from the tax authorities. For-profit activities have no claim to charitable status, however. Hence religious organisations which have no business interests are simply voluntary associations and not under any obligation to register. Large religious organisations are usually made up of a mixture of charitable foundations, voluntary associations and for-profit enterprises.

English and Scottish laws impose certain restrictions on the activities of some religious organisations regarding conducting funerals, registering buildings for religious purposes, conducting and registering marriages, registering births, and the religious welfare of prisoners in prison.

Notwithstanding the principle of no religion being allowed preferential treatment, there is a tendency in court rulings to interpret the term religion in such a way that preference is automatically given to the traditional Churches.

²⁵⁰) Uncorrected copy of the "Federal Bill on the Freedom of Conscience and Religious Associations" of the Russian Federation, made available by Prof. Dr. Dvorkin.

Other legal regulations concern the dissemination of religious messages: up until 1990, advertising by religious organisations on radio or television had been banned. After advertising was permitted in 1990 under a new law, the Scientologists in particular have made use of it.

Italy

The Italian expert explained that there was no specific legal framework in Italy restricting the activities of new religious and ideological communities and psychogroups. Until 1981, however, Article 603 of the Italian Penal Code had dealt with the crime of “mental manipulation”. This rule had been repealed in 1981 by the Italian constitutional court as it had been invoked mainly against charismatic Catholic priests and homosexuals. The reason given was that, because the provision had been drafted so vaguely, it could be invoked *de facto* against any unpopular minority, thus constituting a threat to democracy.

Switzerland

The Swiss expert explained that new religious and ideological communities and psychogroups could invoke the right to religious freedom under a “corporation complaint” (*Korporationsbeschwerde*), provided that they were acting in the interests of their members and pursuing their ideological and religious objectives in accordance with the Constitution and that it could therefore be assumed that they encompassed individual appeals of members.

Invocation of economic freedom, though, excluded the religious status of a corporation as predominant and entailed the loss of privileges enjoyed by religious communities.

United States

The United States expert drew attention to the strict distinction in his country between freedom of religion and freedom of action. Any person able to show probable cause that his/her group constituted a religion could claim protection under the Constitution. The Federal Supreme Court had ruled in 1981 that the need to protect freedom of religion as laid down in the First Amendment to the Constitution did not require that the religious principles should be acceptable, logical, sensible or understandable to others.

Although the First Amendment to the Constitution favours religious individualism and to some extent encourages its political representation,²⁵¹⁾ it must be said

²⁵¹⁾ Cf. Zorn, J.: Cults and the Ideology of Individualism in First Amendment Discourse. In: Journal of Law and Religion 7 (1989), pp. 483–530.

that American judicial rulings do not in fact follow blindly what in European eyes looks like a consistent tendency to grant exceptional privileges to minority and marginal religions, and that historical changes are observable.²⁵²⁾

A paper from the Scientific Research Unit of the German *Bundestag* holds to the view that, even at the legal level, conditions in the United States are, all in all, much further removed from a system of radical separation of Church and Government than is generally assumed.

Greece

The Greek representative at the International Forum, Dr. Krippas, said that the Greek people felt a strong affinity with the Orthodox Church (95 percent). He therefore regarded the Church as a vital bulwark against sects and psychogroups. Dr. Krippas added that the legislator should never ignore the threat to society from the activities of sects. The Greek law on proselytising²⁵³⁾ (Act 1363/1938, Article 4 (3)) was one approach used in Greece. Under the provisions of this Act, any methods designed to “undermine a person’s (...) religious outlook either by persuasion (...), the promise of an incentive (...), material assistance (...), fraudulent means (...) or by exploitation of inexperience (...), confidence (...), need (...), low intelligence or naiveté, were punishable and must be prosecuted by the public authorities”. The methods used by sects to recruit new members were tantamount, in his opinion, to misleading or deceitful acts.

Dr. Krippas added that in all modern legal systems deceitful, misleading or malicious acts were contrary to the existing laws.

The European Court of Justice had also handed down a ruling on the Greek provision. The Court had had to deal with the appeal of a Jehovah’s witness accused of proselytising. The plaintiff had disputed the judgement of the Greek court of appeal on the grounds that the above-mentioned provision was not consistent with Article 9 (and other articles) of the European Convention of Human Rights. While not questioning the legality of the Greek law in this specific case (*Kokkinakis vs. Greece*), the European Court ruled that the judgement violated Article 9 of the European Convention of Human Rights. The Greek Government was ordered to pay compensation.²⁵⁴⁾

²⁵³⁾ Cf. Way, F./ Burt, B.: Religious Marginality and the Free Exercise Clause. In: The American Political Science Review 77 (1983), pp. 652–665, here p. 665 and Richardson, J.: Legal Status of Minority Religions in the United States, in: Social Compass 42 (2, 1995), here pp. 249–260; see also the “Religious Freedom Restoration Act”, recently declared unconstitutional by the Supreme Court which in 1993, supported by President Clinton, was passed unanimously by the House of Representatives and with only three votes against by the Senate. In essence, this law provided that governmental authorities could restrict religious practices only if there were compelling reasons to do so, like national security or public health.

²⁵³⁾ In the sense of importunate endeavours to convert people to a faith or ideology.

²⁵⁴⁾ Cf. Richardson, J.: Minority Religions, Religious Freedom and the New Pan-European Political and Judicial Institutions, in: Journal of Church and State, Vol. 37, No. 1, 1995, p. 47.

5.4.1.4 Legal disputes

In all Western countries, we find examples of conflicts leading to litigation in courts between new religious and ideological communities and psychogroups on the one hand and Government, the business community and society on the other. This applies in particular to Scientology. However, there is no systematic analysis of the misconduct of these groups as collective entities or of the misconduct of individual members; i.e. there is no typology of wrong-doing. According to Prof. Dr. Kerner, however, such a typology is needed in order to arrive at a classification of the options for reactions and sanctions under the law, and dogmatically convincing legal solutions for the Federal Republic of Germany.

An initial approximation to such a typology might be based on the following criteria:

- infiltration of government, business and industry, and society,
- using devious means to obtain public benefits without entitlement,
- corporate wrong-doing,
- harm inflicted on third parties by members of new religious and ideological communities and psychogroups,
- harm inflicted on prospects, clients, followers or members by new religious and ideological communities and psychogroups or their members.

Great Britain

Professor Dr. Beckford explained that in Great Britain legal disputes had arisen mainly with the Scientology Organisation in connection with their recognition as a charitable organisation and in connection with television promotions.

The Church of Scientology had been denied charitable status in 1979 on the grounds that it was not a true religion but a “philosophy of human existence”. In 1996, the Scientologists had again applied for recognition as a charitable organisation.

An attempt to deprive the Unification Church of its charitable status had failed in 1983, as had an attempt in 1981 in the case of a Christian sect accused of destroying families. The Charity Commissioner can bring charges against a charitable institution if the charitable aims are no longer met or if proper book-keeping cannot be presented. However, the decision to deprive an organisation of its charitable status is a matter for the High Court only.

Other disputes involved accusations of defamation, disregard of employment laws and the granting of building permission. These cases concerned a very small number of religious groups and have all been settled. Scientology failed in 1980 to obtain exemption from the employers’ contribution.

Professor Beckford said that he was not aware of any conflicts relating to the involvement of German nationals in new religious movements.

Italy

The Italian expert drew attention to the following case types which were cause for legal intervention. Violations of consumer rights: the consumer of spiritual goods was entitled to no less protection than the consumer of chocolate or wine. These were more often matters for commercial and civil law than for criminal law.

In cases of use of physical pressure or threats, abuse of minors or the mentally vulnerable and instigation to crime or suicide, it was necessary to apply the relevant penal provisions.

Switzerland

Disputes within the field of criminal law were reported from Switzerland.

Offences against property: there had been convictions of individuals on account of usury and deception in connection with their involvement with sects.

Offences against freedom: extortion and coercion were recurring themes; one conviction (extortion through black magic rituals) was reported and one acquittal (faith healing).

In the case of unlawful detention and abduction, the *locus delicti* was mostly suspected of being abroad (especially the United States). The Swiss Federal Council had had to answer an enquiry in this regard in 1988.

Sexual offences and offences against life and limb: one conviction was reported for a sexual offence; no case of personal injury resulting from psychotechniques had been reported by a criminal court in Switzerland.

Charges had been brought where, for example, life and health had been endangered when other medical care had been forgone in favour of faith healing.

In the case of instigation to collective suicide, surviving sect leaders were exempt from punishment under the prevailing law if they themselves had taken part.

It was emphasised that, generally speaking, successful criminal prosecutions were rare.

United States

The expert from the United States reported on a huge number of conflicts in different fields of activity and legal spheres: recruitment, brainwashing, manipulative therapies, parental custody, drug use, tax evasion, fraud, employment laws, abuse of social benefits, immigration laws.

The impression was that actual problem pressure tends to be created by the United States' historical "lead" and its size (it can be regarded as the exporter of at least 90 percent of these groups) and the large number of cases which can be reported (for this and other reasons).

The second problem regarding the wealth of available conflict material is also a qualitative one and relates not least to the aggressiveness with which conflicts are tackled and pursued. On the one hand, there is the deprogramming phenomenon, which plays hardly any part at all in Europe, and on the other the violent suppression of conflict as in the case of the Branch Davidians and some precursors. No explanation was given for the ferocity of the counter-reaction in this liberal country.

5.4.1.5 International connections

There was general agreement that some of the new religious and ideological communities and psychogroups in the countries belonged to international networks. According to the experts, globalisation was as much a religious and cultural phenomenon as an economic and political one. The American expert believed that religious communities, like international firms, make use of the advantages of globalisation and shrinking distances to build complex organisational networks in many countries, including countries with intact banking secrecy or tax havens.

He said that – although it was possible that in some groups religious swindling was used for fund-raising – he could find no clear-cut evidence of illegal machinations in financial transactions.

There were serious problems for individuals in child custody cases where groups had established branches abroad.

In general terms, Rev. Gandow drew attention to three aspects: the transfer of activities to other countries, influences from abroad on Germany, the invasion of religions, cults and various groups into Central and Eastern Europe. The reasons for this were, he believed, the unstable social situation, the relative weakness of traditional institutions as a result of the Socialist past, and the relative strength of the spiritual “intruders”.

5.4.1.6 Perceptions in the public

Perceptions of new religious and ideological communities and psychogroups depend on a host of socio-cultural and other factors (e.g. society’s assessment of the potential threat, specific legal disputes, etc). We would only refer at this point to the divergent legal evolution of religious freedom in the United States and Europe. Even within Europe, perceptions vary with the region and the social class involved. Differences can be observed between Western Europe and the new democracies in Eastern Europe in terms of society’s perception of the prevailing economic, political and social situation.

The emergence of a wide variety of new religious or ideological communities and psychogroups reflects a phenomenon that is also beginning to emerge in other fields in the industrialised nations of Western Europe.

This is due to individualisation tendencies and the fact that people are once again guided by standards and values. The emergence of these groups – as an expression of social pluralism – should, according to the experts, be seen as a social fact and not in itself as a cause for concern for the time being. Government should exercise passive tolerance. This was also reflected in the fact that the first information and educational activities had come not from Government but from the Churches and from citizen action groups involving parents and other affected individuals. What was more, they were the ones who had placed the problems and conflicts surrounding new religious and ideological communities and psychogroups in the political arena. The ideological struggle between the “anti-cult groups” and the new religious and ideological communities and psychogroups had intensified. This struggle was not only being waged at the ideological level but quite often in the courts too. Parliamentary reports and the statements of experts showed that existing laws were, as a rule, adequate to solving the problems within the sphere of criminal and civil law without clashing with religious and ideological freedoms. The judgements passed in Italy, France and the Federal Republic of Germany in recent years were also testimony to this. That did not, according to the experts, mean that the freedom offered by democratic countries was not exploited by groups to create a regime of repression. Religious and ideological neutrality on the part of Government therefore did not mean, they concluded, that societal evolution and its associated conflicts were ignored – at whatever level – or that the concerns and appeals of the public were not taken seriously.

However, the problem enjoyed varying degrees of attention in the different countries.

Great Britain

The expert gave the following account of public opinion:

- Academic opinion and official statements by the major Churches all emphasised the need to collect, evaluate and disseminate objective information and largely rejected “brainwashing” as an explanation for people joining such movements. It was however considered extremely important to take legal proceedings against abusive or unlawful methods.
- Public opinion was probably still convinced that sects and cults represented a potential threat to individuals. This was largely attributable to the work of journalists and programme-makers.
- The traditional Churches and educational establishments sometimes warned young people about the dangers of membership, but so far no authority, political party or any of the major associations had launched a campaign against the new religious movements.

There were several organisations in Great Britain which tried to influence public debate on new religious movements. Of these, however, only two (INFORM and FAIR) had sufficient funds and credibility to do so successfully.

In summary, it could be said that very few people were really worried by the new religious movements and even fewer regarded them as a serious threat. Official fears were outweighed by the need for freedom, pluralism and tolerance.

Russia

Professor Dr. Dvorkin said that the upheavals in Russia after the fall of the Iron Curtain had encouraged the spread of new religious and ideological communities and psychogroups and their scope for action. By apparent contrast with other Western European countries, the groups had immediately attempted to penetrate the echelons of power – though similar endeavours seemed to be going on in Great Britain too. The difficult economic situation and widespread poverty in the Russian Federation had made it easy for rich cults to “buy their way upwards”. Promoters had often entered the country with a tourist visa. The result of this situation was a sharp increase in the number of members or followers.²⁵⁵⁾

United States

The expert from the United States, Prof. Dr. Passas, said it was paradoxical in view of the First Amendment that the social controversy and conflicts surrounding the new religious movements were conducted with so much more ferocity in the United States than in other industrialised nations.

He believed that both the “anti-sect movement” and Scientology had adopted a strategy of bleeding the opponent by overwhelming them with legal proceedings and driving them to bankruptcy. The areas in which the worst conflicts had arisen had all gone to court.

²⁵⁵⁾ According to Prof. Dr. Dvorkin’s report to the International Forum on 22 September 1997, the groups active in Russia had divided up certain “markets” among themselves. The Scientologists concentrated on selling their administration technology and management courses. They had managed to get the former mayor of Perm to join the Scientology Organisation and have the Hubbard administration technology installed in the municipal authorities. However, the mayor had not been re-elected, upon which the Scientology experiment at the municipal authorities had come to an end as part of his team resigned with him. The Scientologists were also active in the health sector, for example with Narconon since 1990. The Hare Krishna groups built up their influence mainly in the food and pharmaceutical industries, Jehovah’s Witnesses were particularly successful among workers and farmers. Apparently the Boston Church of Christ was successful in Russia’s universities. The Unification Church concentrated primarily on education and was also trying to establish links with the army. According to Professor Dr. Dvorkin, all these groups had obtained logistical and manpower support in a wide range of fields. Nevertheless, some groups were already in decline. In many cases, they were not only being denied manpower support but permits, e.g. to apply cleansing run-down as a method of treatment, were being withdrawn. Some groups were apparently increasingly finding that their huge investments were not bearing fruit and were scaling down their investment as a consequence. One type of missionary work practised in Eastern European countries, in particular by the Unification Church, was to organise summer camps at which English courses were also offered.

5.4.1.7 Counselling and information

In the various European countries, many private and Church counselling and information centres have been set up to deal with the conflicts and problems arising from membership in the groups under review. Counselling work in this area is largely undertaken by voluntary helpers or by former members of new religious and ideological communities and psychogroups. Private initiatives seem generally to be in serious financial straits.

Great Britain

Ms MacKenzie of Great Britain reported that the counselling situation generally in Great Britain could be called catastrophic. Initiatives received no financial support either from government or from the regions and cities. INFORM (Information Network Focus on Religious Movements), whose chairman was Eileen Barker, had been set up in 1988. The organisation's main aim was to provide a service to the public by offering as objective, balanced and up-to-date information as possible on new religious movements. To that end, INFORM organised conferences, kept a data base, answered telephone enquiries and prepared brochures on the potential threats of some groups. INFORM also advised the Metropolitan Police.

At the time of the Conservative government under Prime Minister Thatcher, INFORM had been financed through two three-year loans from the Home Office, the sale of its own publications and funds from religious organisations and charitable foundations. It was itself recognised as a charitable organisation and was constituted as a limited liability company. INFORM had a staff of three permanent employees and a large number of volunteers. Since 1997 the work of INFORM had received financial support in the form of annual grants (£ 2,000) from the Home Office.

FAIR (Family Action Information and Rescue) was set up in 1976 at the initiative of Paul Rose, a former Labour MP, and concerned relatives of members of the Unification Church. Today, it was a voluntary association of parents, former sect members, doctors, Church members and other concerned people who dealt with the problem of sect and cult membership, not from an academic or doctrinaire point of view, but on grounds of human rights and social responsibility (own description). FAIR was not registered as a charitable organisation, it rarely had enough funds to take on staff, accepted evidence only from persons critical of sects and operated above all with the witness statements of hundreds of disappointed former members of religious movements and their relatives.

Russian Federation

Professor Dr. Dvorkin said that an "anti-cult movement" had emerged in Russia fairly late on. It had been initiated by concerned parents and the Russian Orthodox Church. He gave no information about the quantity and quality of counselling.

Austria

Dr. Valentin reported that in Austria the archdiocese of Vienna had set up a sect unit as long ago as 1952 to keep an eye on the scene. Furthermore, parent initiatives had been in existence for 20 years. Generally speaking, the sect and psychogroup scene was not all that different from the one in the Federal Republic of Germany. At government level, the policy was to inform and educate through brochures. The Austrian Minister for the Family had proposed that the family counselling centres should be equipped to deal with the sect issue. Consideration was being given to setting up one counselling centre per federal state. In parallel, a project had already been launched, whereby in each federal state a school psychologist was given special responsibility for counselling. As for legislation, a draft bill regulating the status of the religious community was currently under appraisal. It envisaged that a group of 100 persons who did not belong to any other religious community, could apply for this status. Recognition could be granted after a probationary period of 15 years and corporate status granted. If, after this period of time, membership made up 0.2 percent of the population, the granting of corporate status could be considered. Otherwise, the Austrian Government put its faith in information and education. There was no dialogue with the groups.

Spain

Prof. Dr. del Pozo Alvarez reported on the poor financial situation of Spain's counselling and information centres. In any case, there were only 10 such centres throughout Spain. He could not therefore report anything positive about the present situation.

5.4.1.8 Parliamentary action

Belgium

In 1996 the parliamentary committee of enquiry of the Belgian House of Representatives published its conclusions. The aim was to "draw up a policy to combat the illegal practices of sects and the danger they represent to society and individuals, especially minors".²⁵⁶⁾ Before the committee of enquiry was set up there had been no "real policy on this matter"²⁵⁷⁾ in Belgium, with the exception of the mandate of the National Security Service (*Sûreté de l'Etat*) "to collect, analyse and process information on all activities which endangered or could endanger the internal security of the country and the maintenance of the democratic system".²⁵⁸⁾

²⁵⁶⁾ Cf. 313/8-95/96 Chambre des Représentants de Belgique, Enquête Parlementaire visant à élaborer une politique en vue de lutter contre les pratiques illégales des sectes et le danger qu'elles représentent pour la société et pour les personnes, particulièrement les mineurs d'âge, 1997.

²⁵⁷⁾ Loc. cit., p. 209.

²⁵⁸⁾ Loc. cit., p. 209.

The committee found that there was only fragmentary knowledge on the quantitative dimension. Crimes committed in the context of sect activities had only recently been registered, but not necessarily systematically recorded. For example, drug-related crimes were not registered under sect activities even if there was a connection. The committee also found that the police authorities did not have the necessary selection, identification and information instruments to enable them to react quickly. The shortage of manpower and material resources had forced the authorities to prioritise. The financial and social authorities in particular did not appear to be sensitised to the sect problem. Convictions had been brought only on grounds of personal misconduct but not on grounds of membership of a given organisation. Few sects had attempted as yet to exercise direct influence on political parties. In this connection, the committee drew particular attention to the possibility of indirect influence being exercised by the Scientology Organisation.

The committee of enquiry found in its conclusions that the existing set of legal instruments was by and large sufficient to “combat the harmful policy of sect organisations”.²⁵⁹) In concrete terms, it proposes that a new provision be included in the penal code making exploitation of a person’s weak position and active incitement to commit suicide an offence. The committee also suggested that the competent authorities should be better sensitised to the issues involved and co-ordination between them improved, that international co-operation should be intensified and public information, especially addressed to young people, stepped up. The committee also proposes the setting up of an office to observe the further developments and activities of sects.

France

We will not go into any details with regard to the Vivien report published in France in 1985.

The 1995 French report states that sects represent threats which the Government must address. It must do so by applying rigorously the existing legal instruments to punish unlawful acts, including acts committed by sects. The judiciary should be sensitised to this issue and informed about the dangerous nature of these dubious groups. Moreover, education was necessary in all spheres. The report takes an ethical approach to the question of what a sect is. A movement which portrays itself as religious is considered to be a sect where one or more of ten criteria are met, e.g. “mental destabilisation” of members or attempts to infiltrate public institutions.²⁶⁰) The term is applied to any group that represents a presumed or actual threat to the individual and society. The report also contains a list of “sects” compiled by the security services according to the supposed threat represented by them.

²⁵⁹) Loc. cit., p. 220.

²⁶⁰) Cf. *Les sectes en France*, op. cit., p. 13.

The report found that sects undoubtedly posed considerable threats, in the face of which Government could not stand aside and remain passive. Article 2 of the French Constitution guarantees religious freedom, and therefore every measure must be carefully considered before being implemented. The existing body of law offers a number of options for punishing unlawful acts committed by sects. Special legislation regarding sects should therefore be rejected. Alongside better information on sects for the judiciary and the public and the rigorous application of the existing body of law, the report proposes an interministerial observation unit with direct access to the Prime Minister.

Great Britain

In 1971 Sir John D. Foster published on behalf of the House of Commons a report entitled “Enquiry into the practice and effects of Scientology”. This study had been occasioned by events at the Hubbard College of Scientology in East Grinstead in 1960 and 1966. In these two years questions were also raised in the British Parliament concerning Scientology.

The report is strongly critical of the ideological system of Scientology, finding fault in particular with its rigid friend-or-foe approach and the way it handles its critics both inside and outside the organisation. Dianetics as a psychotherapy also comes in for criticism, since it was not open for discussion in accordance with normal scientific practice.

The report concluded that Scientology was socially harmful, that its methods represented a serious threat to health and that there was evidence of child indoctrination. However, the report also found that there was no possibility in Great Britain of banning Scientology’s practices. Following the report, the British Government tried to restrict the right to enter the country, not only for leading members of the Scientology Organisation. The restrictions were lifted in 1980.

Netherlands

The 1984 Dutch report²⁶¹⁾ takes a completely different line. The Dutch Committee was primarily interested, not in coming out in favour of or against a particular group, but gaining insights into the activities of these groups in order to judge whether or not the Government might be required to act.

Which movements were to be covered by the study was not publicised. Every accessible source of information was accessed for the purposes of the report. Moreover the groups which were covered by the study were involved in the work, orally and in writing.

The Dutch report found, in summary, that the groups studied did not represent any real threat to public mental health. Even the claim that new religious movements used coercion to recruit new members had not been substantiated by the study. They found that there was no need to introduce special protection

²⁶¹⁾ Cf. Onderzoek betreffende Sekten, Overheid en nieuwe religieuze bewegingen, loc. cit.

measures, and therefore that no special legal measures were required. The findings gave no cause whatsoever to recommend an extension of the legal options for the dissolution of legal persons, i.e. dissolving movements which had the status of a “religious community”. The aim of the study had also been to facilitate an evaluation of government policy towards new religious movements. But the study should not be over-estimated since it was a snapshot – particularly with regard to the description of groups – which could be overtaken by new developments, both positive and negative.

Spain

The Spanish report, published in 1989, concentrates on the question of whether current Spanish legislation offers an adequate response to sect-related problems. Methodologically, the report takes a three-pronged approach: (1) analysis of documents (e.g. European reports, documentation on Spanish legislation in the area of secular and religious associations, education, youth, penal code and religious education, directory of religious associations listed in the register of the Ministry of Justice, petitions, as well as offences and complaints reported to police), (2) hearings (e.g. members of the working group “Associations and Individual Freedom”, the head of the inland revenue department of the Finance Ministry, the ombudsman) and (3) the internal debate among members of the parliamentary parties.

The Committee explicitly stated that its task was not to “appraise persons and sects”,²⁶²⁾ nor was it under any obligation to draw up a precise catalogue or list of sects. Generally, the report concluded that Spanish legislation was sufficient to deal with infringements of the law committed in actual or only apparent connection with so-called sects or psychogroups. That applied both in the regulation of constitutional rights and in terms of civil and criminal law. In administrative terms, the Commission saw inadequacies only in regard to the tendency of groups to obtain tax concessions by pretending to be charitable non-profit organisations.

The Commission therefore proposed, *inter alia*, the resolute application of existing laws, stepping up the exchange of information, processing information and conducting education campaigns in the educational and cultural spheres. It also recommended the conclusion of an international convention on child abduction with a view to “facilitating the exchange of information and immediate return of children who had been taken unlawfully out of the country and, similarly, the exchange of information on the whereabouts of children taken out of the country”.²⁶³⁾

²⁶²⁾ Cf. *Sectas en Espana*, op. cit., p. 7.

²⁶³⁾ Loc. cit., p. 13

5.4.1.9 European Parliament

In 1984, the European Parliament published a report “on the activities of certain “new religious movements” within the European Community”²⁶⁴⁾ (Cottrell report). (The was a revised version from 1983). The core of this report is a rough summary of accusations against new religious movements.²⁶⁵⁾ The 1984 revised version found that existing legal provisions in Member States were largely adequate. The report concluded that what was required was co-existence based on equal rights and the social integration of groups which had become a feature of the social landscape. The report proposed a number of “voluntary guidelines” which groups should observe, such as the right of prospective members to sufficient time for reflection before joining up, respect for the rights of the child, the right to maintain social contracts outside the group.

In February 1996, the European Parliament adopted a resolution on “Sects in Europe”.²⁶⁶⁾ In it the European Parliament, referring to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, the Treaty of the European Union, especially Article F (2), Article K.1 para. 2, 5, 6, 7, 9 and Article K.3, and to the resolution on a charter of the rights of the child of 8 July 1992, called on Member States to work together more closely in this field, exchange information, desist from automatically conferring the status of a religious community, and examine whether national legislation was sufficient to deal with unlawful acts committed by such groups. The resolution called upon the European Council “to appraise, propose and introduce all measures (...) to curb and control illegal activities of sects in the Union”,²⁶⁷⁾ and further, to prevent such groups from enjoying Community aid and to promote co-operation between the Member States and third countries with a view to “locating missing persons and facilitating and promoting their re-integration into society”.²⁶⁸⁾ In this resolution, the Parliament charged its Committee for Fundamental Freedoms and Internal Affairs to propose to the relevant committees of the national parliaments that they should hold a joint session on the issue and that their conclusions should be submitted to the plenary.

This joint session was held on 21 November 1996. The results were made available in September 1997. The draft report²⁶⁹⁾ of this session expresses regret that neither the Council nor the Commission had taken up the recommendations made in the resolution and that no further steps had been taken. The report

²⁶⁴⁾ Cf. European Parliament Records, 1984–1985, Report on behalf of the Committee for Youth, Culture, Education, Information and Sport on the activities of certain new religious movements within the European Communities, Rapporteur Richard Cottrell, Document 1–47/84, 1984.

²⁶⁵⁾ Cf. Richardson, J./ van Driel, B.: New Religious Movements in Europe: Developments and Reactions, in: Shupe, Anson, Bromley, David G., Anti-cult movements in cross-cultural perspective, 1994.

²⁶⁶⁾ Cf. European Parliament, Resolution on Sects in Europe, OJ C 078 of 18 March 1996, p. 31.

²⁶⁷⁾ Loc. cit.

²⁶⁸⁾ Loc. cit.

²⁶⁹⁾ Cf. European Parliament, draft report on sects in the European Union, loc. cit.

also found that the number of sects in Central and Eastern European countries was growing and the governmental authorities there were unable to cope with what for them was a new problem.²⁷⁰⁾ The rapporteur was however unable to furnish any empirical evidence for this claim.

The 1997 report of the European Parliament found that the use of the term “sects” led to uncertainty and discrepancies.²⁷¹⁾ In keeping with the text of the European Parliament resolution of February 1996, the 1997 draft report used the word “sects” after stating that the term was not meant in a discriminating sense in the resolution and that the same applied to the draft report.

5.4.1.10 Parliamentary Assembly of the Council of Europe

The Parliamentary Assembly of the Council of Europe, in its Recommendation 1178 of 1992, also addressed the subject of sects and new religious movements.²⁷²⁾ In this Recommendation, the Assembly proposed that greater efforts should be made to provide information about established religions and the phenomenon of sects in the educational sector and that groups with corporate status should be registered; it also called upon all countries which had not yet done so to sign the Convention on the Rights of the Child. Moreover, the Recommendation postulated that child protection within sects should be strengthened and that efforts should be made to ensure compliance with the rights to protection of persons employed by sects. The Council of Europe’s Sub-Committee on Human Rights held a hearing in Paris in April 1997 on sects in Europe in order to determine the status of measures at European level.²⁷³⁾ In its conclusions, the participants in the hearing once again drew attention to difficulty in the use of terminology, which also led to problems with court rulings. The Sub-Committee pointed out that universally applying criteria for assessing conflict potential should be developed. Governments should remain neutral, but they should also take appropriate action against infringements of the law or violations of human dignity. Furthermore, criteria should be developed to define what manipulation was and how it could be verified.²⁷⁴⁾

5.4.1.11 Conclusions of parliamentary reports

In terms of their methodology, the manner of dealing with the parties heard, the definition of the subject of enquiry (sects) and the conclusions drawn in respect of governmental action, the reports are coloured by the cultural and legal peculiarities of each country.

²⁷⁰⁾ Loc. cit., p. 16.

²⁷¹⁾ Loc. cit., p.9.

²⁷³⁾ Cf. Parliamentary Assembly of the Council of Europe, Forty-Third Ordinary Session, Recommendation 1178 (1992) on sects and new religious movements, 1992.

²⁷³⁾ Cf. Council of Europe, Committee on Legal Affairs and Human Rights, Sub-Committee on Human Rights, Sects in Europe, Hearing held on 8 April 1997 in Paris (National Assembly), 1997.

²⁷⁴⁾ Loc cit., p. 15.

Quantitative and qualitative dimension

The common conclusion of the reports is that both the quantitative and the qualitative dimensions of the phenomenon are difficult to assess. Most of them find that the existing laws are largely sufficient – with minor additions – to dealing with the problems that arise in connection with new religious and ideological communities and psychogroups.

The reports explicitly rule out passing judgement on the doctrines of groups on the basis of the articles of a country's constitution which guarantee freedom of religion and conscience.

Violations of laws

The interests of citizens could be harmed under certain circumstances. The question of whether Government should take counter-action in such cases is answered in different ways. Court rulings in recent years have clearly shown that there are cases of criminal offences being committed in that milieu (fraud, forgery, personal injury, abuse, unlawful detention). The reports have also shown that in no country are criminal acts systematically recorded in connection with membership of a group. In considering the above question, the Government is caught between the fundamental right to religious freedom and freedom of conscience on the one hand and concrete social situations on the other. The European countries consider a reaction to the phenomenon essential, but in a non-discriminatory form. Special "anti-sect legislation" was rejected in the parliamentary reports, by participants of the International Forum and by the experts attending the hearings. The available legal instruments are, by and large, considered sufficient to deal with the problem.

Terminology

The parliamentary reports and expert hearings make plain the difficulty of establishing a clear-cut scientific definition of the object of enquiry (sects).

The Belgian report, for example, does not define "sects" at all. But a list of the organisations mentioned in the report is appended to it. The Dutch report draws attention to the difficulties the Commission had with the term. Since the term has a strongly negative connotation in the Netherlands, it was not used. The term "cult" did not seem appropriate to their work either. Because of these terminology problems the term "new religious movements" had been used. By contrast, the French report draws up a detailed catalogue of criteria by which groups may be classified as "sects": "mental destabilisation, excessively high financial demands, break with one's traditional environment, impaired health, integration of children into the organisation, anti-social talk, public order offences, conflicts with the law, infiltration of economic systems, infiltration of governmental bodies".²⁷⁵) The Spanish report uses the term "sects" despite the

²⁷⁵) Cf. *Les sectes en France*, loc. cit., p. 13.

negative connotations it has in Spain too. The reason given is that the term had fairly wide currency in Spain.

The European reports considered deal essentially with the phenomenon of “so-called sects”. Only the Belgian report considers the “therapeutics” on two of its pages. The area of “psychogroups” laid down in the mandate of the German Enquete Commission is not considered by the other reports. Moreover, it would seem that the term “psychogroup” used in German is not familiar in this sense in international usage. The Canadian expert at the International Forum drew attention to the fact that the English-speaking world tended to use the term “therapeutic group” or – to come closer to the German term – “pseudotherapeutic group”.

The participants at the International Forum also stressed that there were substantial problems with the definition of the term. It was not defined in the hearing, and participants continued to use the definition borrowed from common parlance.

The international experts also used different definitions. In the English-speaking scientific world, the term “new religious movement” has gained currency and is also used by some of the European experts. Others continue to use terms such as “sect” or “cult”.

5.4.1.12 Implementation of parliamentary reports

We can only partly tell from the information available how far the recommendations made by the various European commissions have been translated into legal and daily practice.

The recommendation of the Foster Report (“Enquiry into the Practice and Effects of Scientology”, 1971) to consider laws regulating psychologically oriented medicine has not yet led to the adoption of corresponding legislation.

According to the Dutch expert, the legislature in the Netherlands did not consider that the findings of the report gave occasion for action, with respect either to legal measures or to public health and child welfare. Little regard was paid to the subject in current debate. Though sects were still poorly regarded, politicians were under little pressure to tighten existing regulations. The Dutch public reacted to this phenomenon like the public of other countries: with scepticism and concern. The Dutch position could be summed up as follows: sects were not above the law; they had the scope to which they were entitled as an expression of intellectual freedom; it had been decided not to stigmatise these groups by passing special legislation. Nevertheless, the Dutch felt that vigilance was required, particularly in light of its climate of tolerance.

According to Prof. Dr. del Pozo Alvarez, the Spanish reports had found little resonance in political circles. He had found the political response rather general and evasive. In parliament there had been few initiatives towards implementing the recommendations. In the provinces, for example, a few police officers had

been specially trained to deal with these problems. In particular, advanced training courses had been organised for judges to enable them to go in greater depth on the rights of the child where so-called sects had some involvement. Suggestions to the effect that educational institutions and research should be more closely involved had only played a secondary role in the past.

According to information from the German embassy in Brussels, the Belgian report had helped to heighten awareness of the phenomenon among the public and in governmental bodies. The observation unit called for by the Commission of Enquiry had meanwhile been set up. The Commission had no intention either consciously or unconsciously of making a link between dangerous associations and simply “normal” unconventional conduct. “It has never been the intention of the Commission to lay down behavioural norms or act as the upholder of moral values.”²⁷⁶) It remained to be seen what long-term effects the report would have.

Nothing is currently known about the implementation of the recommendations contained in the French report, except that the interministerial observation unit (Observatoire interministériel) was set up under the auspices of the Prime Minister’s office on 12 September 1996, consisting of 12 members (senators, psychiatrists, local authority representatives, educational experts, representatives of family associations, etc.).

5.4.1.13 Conclusions for the debate in Germany

Necessary analyses

The expert on criminal law said that the first step should be to consider whether provisions in other countries had succeeded in formulating elements of offences in the field of foreign trade law, exchange control regulations and fiscal law in such a way that, for example, money laundering legislation was more effective than in Germany. In principle, this would then also cover any new religious and ideological communities and psychogroups that showed such conduct.

Appraisal of national criminal law with international relevance

International criminal law (international law, Act on International Mutual Assistance in Criminal Matters) currently had nothing to offer on “sect-related matters”; that just left internationally relevant national criminal law which was laid down in Sections 4-7 of the German Penal Code. The following might be of interest: “Acts committed abroad against domestic legal interests” (Section 5), “Acts committed abroad against internationally protected legal interests” (Section 6). It was worth debating, for example, whether subsidy fraud (Section 6 (8)) could not be applied to other forms of financial exploitation as well or to criminal acts such as the sexual abuse of children. There was a need for a systematic review in this regard.

²⁷⁶) 313/8–95/96, Chambre des Représentants de Belgique, loc. cit., p. 5.

5.4.1.14 International co-operation

Existing international co-operation

The experts and parliamentary reports all agreed that the phenomenon of new religious and ideological communities and psychogroups was a global problem requiring global solutions. The European Parliament “calls upon the Council to examine, propose and introduce all measures following from the effective application of the instruments foreseen under title VI of the European Union Treaty (Maastricht Treaty) and the existing legal provisions of the Community to control and combat the illegal activities of sects in the Union; (it) calls upon the Council to promote co-operation among the Member States and third countries with a view to locating missing persons and facilitating their re-integration into society”.²⁷⁷⁾

The President of the European Commission, Jacques Santer, pointed out in a letter to the Enquete Commission, however, that the work of the German Commission did not fall within the competence of the Community; instead, in accordance with the principle of subsidiarity, it was within the competence of Member States. The draft report on “Sects in the European Union” states that “neither the Council nor the European Commission has taken up the recommendations”,²⁷⁸⁾ nor had any concrete steps been taken. The Parliamentary Assembly of the Council of Europe, in its Recommendation 1178,²⁷⁹⁾ also called for international co-operation.

There is no international political co-operation in this field at the present time. Although hearings take place at regular intervals at national and international parliamentary level, no common line of approach seems to have emerged. Individual countries are coping with the phenomenon largely in isolation. On 11/12 December 1997, Franco-German talks were held in Paris to exchange information on the subject of “new religious and ideological communities and psychogroups”. The meeting resulted in a decision to continue the bilateral exchange and intensify contacts at the working level.

Recommendations for international co-operation

Numerous bodies have called for international co-operation, but so far there has been little in the way of practical implementation.

According to Prof. Dr. Passas, the framework within which action had been and could be taken to date, is such that *de facto* there is organisational and economic globalisation, while *de jure* there are only national authorities to deal nationally with the problems that arise. In principle, this situation applied to all such actors. But the imbalance created opportunities for crime.

²⁷⁷⁾ Cf. European Parliament, Resolution on Sects in Europe, loc. cit., p. 32.

²⁷⁸⁾ Cf. European Parliament, draft report on sects in the European Union, loc. cit., p. 15.

²⁷⁹⁾ Loc. cit.

In the problem area under review (new religious and ideological communities and psychogroups), there was, for example, not even any internationally recognised standard for determining which forms should be recognised as religious practices and be granted privileges accordingly.

He called for the creation of bodies endowed with powers of standardisation or, at least, the possibility of formulating and establishing standardisation interests. That pre-supposed readiness to cede national sovereign powers to international organisations, greater readiness to accept the costs involved and education regarding existing risks.

Objective studies on the harm caused by certain patterns of behaviour would be required to bring this message home to the public.

In the past, international legal action had often been *ad hoc* and based on personal friendships across borders.

The Enquete Commission found that the international exchange of information and cross-border co-operation on problems associated with new religious and ideological communities and psychogroups are still rudimentary. Contacts between government authorities in different countries are the exception rather than the rule. Precisely because of attempts by certain groups (e.g. Moon movement, Scientology) to maintain a global presence and the appearance of problematic groups in a number of countries (e.g. Sun Templers, Aum Shinrikyo) a better exchange of information would seem not just useful, but highly desirable. The Enquete Commission is convinced that the effectiveness of government measures could be considerably improved, both in the field of information and in cases of infringements of the law, by the cross-border exchange of information and co-ordinated joint action.

In addition, the Enquete Commission considers it important that the international debate should become more objective and not be dominated by one question, namely whether certain groups should or should not be able to claim religious freedom. As in the case of consumer protection, the aim should be to debate the risks and dangers of certain practices and ideologies and to ensure that government authorities protect the interests of the vulnerable, while at the same time protecting religious or ideological liberties.

The Enquete Commission also feels that it is important that as part of their international contacts, especially with foreign partner organisations, the political parties, trade unions, business and industrial associations, Churches and other associations should discuss the questions and problems related to new religious and ideological communities and psychogroups.

5.4.2 International links

Consideration of the international links of the various controversial groups is an important aspect of the Enquete Commission's work. In the overall context,

another aspect to explore is how far new religious or ideological communities and psychogroups originating abroad are active in Germany. Not all of them have the same internationally established, interwoven operational structures.

Some of the conflict-prone groups of Asian origin (Ananda Marga, ISKCON, TM, Unification Church, etc.) or American origin (especially Scientology) have a global presence, others are limited to certain regions, for example, the German-speaking world, i.e. Germany, Austria, Switzerland (Fiat Lux, VPM, etc).

Alongside the Unification Church of San Myung Moon, the most controversial and globally active organisation is Scientology with its headquarters in the United States. The founder of the Scientology Organisation, L. Ron Hubbard, built up and installed a global network unequalled by any other organisation. And since Scientology's instructions are globally binding, they apply in full to the Federal Republic of Germany.

Since the German authorities and the German *Bundestag* have been taking a closer look at the accusations levelled against Scientology, the Scientology Organisation has been trying to combat criticism in Germany by building international pressure. The Scientology Organisation deploys material resources more than any other group, in order to obstruct, and if possible eventually to put a stop to, critical information about Scientology in Germany, the organisation is using as its tool the assertion spread about in world opinion that Scientology and religions in general are being increasingly subjected to repression and persecution by the Government in Germany. According to the propaganda, the German Federal Government is an instrument of the established Churches and as such investigated every deviation from the religious norm and discriminated against people simply on grounds of their membership of a "minority religion". The organisation has failed to submit verifiable facts, instead a list of unfounded assertions drawn up by themselves served as the "evidence". Since this action is unprecedented, we have decided to document below the international campaign of disinformation.

International bodies

Using the approach described above, Scientology made formal representations to international bodies such as the OSCE, the United Nations Human Rights Commissioner and the United Nations Special Rapporteur on Religious Intolerance. It was repeatedly emphasised that individual members of Scientology had been "persecuted" or "discriminated against" solely on grounds of their membership of the organisation. Both the OSCE and the United Nations Human Rights Commissioner rejected these assertions after preliminary consideration. Of the international bodies mentioned, only the United Nations Special Rapporteur on Religious Intolerance reproduced in earlier reports the uninvestigated accusations of the Scientology Organisation. However, after a visit to the Federal Republic of Germany in 1997 and numerous meetings with, among others, the German *Bundestag*, the German Federal Government and state-level

governments, the reporting changed. The findings now are that the German measures serve merely to protect citizens and Germany's liberal democracy. The Scientology Organisation's assertions have been expressly dismissed as "childish".

US policy

Alongside these attempts to influence the position of international and supra-national organisations, the Scientology Organisation launched a campaign in the United States to mobilise public opinion and influential circles in Congress and the administration against Germany's critical stance towards Scientology. Again, the argument used was the assertion that German as well as American citizens were being discriminated against and had sustained lasting damage to their civil rights solely on account of their membership of a minority religion, and Scientology in particular. This argument took advantage of the fact that the constitutional situation regarding religious freedom on the one hand and the rights of private and public bodies on the other have a very different cultural and constitutional background in Germany and the United States, a fact which few people know or are aware of in either country. One aspect of this is the different interpretation of the role of government vis-à-vis its duty of care towards its citizens. The outcome of all this is that the campaign, which was – and still is – supported by professional lobbying in Congress, has had some degree of success.

The campaign reached its climax with the advertisements placed in the New York Times and the Washington Post by the Scientology Organisation in autumn 1994 and 1996, in which the Federal Republic of Germany was accused of treating members of the organisation like Nazi Germany had treated the Jews, right up to the Holocaust. Though these advertisements did not have the desired effect on the American public and brought fierce protests from Jewish organisations, they caused quite a stir and attracted media interest world wide. The same goes for an open letter dated 9 January 1997 from 34 Hollywood celebrities to Federal Chancellor Helmut Kohl which also draws parallels between the persecution of the Jews in the Third Reich and the alleged "persecution" of Scientologists in Germany. In the meantime, some of the signatories have distanced themselves from the letter.

As a result of intense professional lobbying of members of Congress and the State Department, Scientology has nevertheless managed on several occasions to get the Federal Republic of Germany criticised, at times very vehemently, by the United States on account of "religious discrimination" of Scientologists. For example, in 1997 a number of members of Congress tabled a resolution in the House of Representatives levelling serious accusations of religious and artistic discrimination against Germany. The procedure was rushed through, leaving the German ambassador to the United States no opportunity to answer the accusations before Members of the House. When it came to the vote on 9 November

1997, however, the full session of the House of Representatives rejected the resolution with a clear majority of 318 to 101.

A hearing of the Commission on Security and Co-operation in Europe held on 18 September 1997 under the chairmanship of Senator D'Amato was also the result of a colossal effort by the Scientology lobby. Although the subject was supposed to be religious freedom in Europe generally, the Commission considered the situation of Scientology in Germany almost to the exclusion of all else. The hearing gave prominent Scientologists like John Travolta, Chick Corea and Isaac Hayes a platform from which to launch their accusations against the Federal Republic of Germany. A representative of the Christian Community of Cologne even appeared at the hearing to protest against alleged discrimination of his association by the German authorities.²⁸⁰) The Cologne tax authorities had withdrawn the association's recognition as a charitable organisation. The Christian Community of Cologne pursued the case through the courts.

At the third OSCE implementation meeting in Warsaw on 13 November 1997, a member of the US delegation, David Little, criticised the German position on Scientology.

Although the US State Department has publicly distanced itself from the comparison between Nazi policy towards the Jews and the German measures against Scientology, the human rights report of the State Department in 1996 deplores alleged excessive action taken against Scientology solely on grounds of membership of the organisation. In this connection, Scientology initiated a demonstration in Berlin at which a woman dressed as the Statue of Liberty was constantly brought into view, as if to suggest that Germany was not allowing the freedoms which in the United States were taken for granted.

Neither the German authorities nor the Enquete Commission have allowed themselves in any way to be pressured by this campaign. The German government has protested with the utmost vigour against all the accusations raised by the American Congress and the US State Department in the course of this "concerted" campaign. The matter has also been discussed in direct talks between the foreign ministers of the two countries.

5.4.3 Visit by a delegation to the United States

The Enquete Commission has constantly kept in view the foreign policy component both of its own work and of the German position on Scientology. After the onslaught of events in autumn 1997, the Commission decided to visit Washington in February 1998 to explain the German position on Scientology, to correct misconceptions and put across to American parliamentarians and the State Department a realistic picture of its own work. This seemed particularly important to correct misconceptions about alleged curtailments of religious freedom.

²⁸⁰) In the meantime, the Christian Community in Cologne has distanced itself from Scientology.

The Commission also wanted to take the opportunity of the visit to obtain information about the Scientology Organisation and to find out how the phenomenon of new religious and ideological communities and psychogroups, especially Scientology, the potential conflicts and victims are dealt with by politicians and society in the United States.

A delegation of the Enquete Commission visited Washington from 23 to 27 February 1998. The delegation had meetings with members of Congress, officials from the State Department, members of the Helsinki Commission, representatives of Jewish organisations, representatives of religious minorities, lawyers, ex-members and relatives, parent groups and information initiatives.

At the meetings with politicians and State Department officials the political strategies of Scientology became clear. The organisation had set itself the target of influencing the German position on Scientology by lobbying in American political circles. It had tried to make alleged religious discrimination of Scientologists in Germany an issue in bilateral relations and thus through foreign policy bring about a change in its situation in Germany. In accordance with its maxim of finding the opponent's "ruin point" and using it against him, Scientology is trying to evoke Germany's crimes under National Socialism to discredit the country abroad. The existence of the Enquete Commission was misrepresented by Scientology to mean that religious minorities as a whole were being investigated and persecuted in Germany. Generally speaking, religious freedom in Germany – so it was claimed – was no longer allowed.

For lobbying purposes, Scientology targeted the representatives of minorities in Congress in order to take advantage of their endeavours on behalf of minorities generally. Their arguments did not fall on deaf ears.

Scientology also managed to take advantage of Americans' historically rooted concern with religious freedom as a whole. At almost all the meetings with US government representatives the delegation encountered concerns that individuals in Germany might be persecuted and excluded by the Government on account of their religious affinity. This concern was also expressed by people who on their own admission had no sympathy with Scientology. It comes as no surprise, considering the origins of the United States, that in this of all countries Scientology should be able to arouse concern by spreading allegations of this kind. Time and again the delegation was told that the United States had been founded by religious dissidents who had taken refuge there as religious fugitives. For that reason, religious freedom was a precious commodity and it should be protected throughout the world. A second period of American history doubtless also helped the Scientologists in their lobbying: the McCarthy era in the fifties, when individuals were persecuted on account of their membership of Communist groups, was mentioned to the delegation by American government representatives as a further reason for vigilance towards the sanctioning of individuals.

At the meetings with members of Congress and the State Department, it became evident that another aspect of Hubbard's doctrine on fighting the opponent was being strictly applied, namely to invent lies about the enemy when doing so seems helpful. The delegation was, for example, asked about alleged incidents which were demonstrably untrue or it came up against assumptions based on false accounts by the Scientologists. The delegation was able to make clear, for example, that the children of Scientologists had never been excluded from public schools; that Chick Corea was able to appear, and actually did appear in Germany, the same as any other artist; and that John Travolta's assertion that a boycott of his film "Phenomenon" had been called for was deliberate disinformation. In fact, the 1996 Hamburg Film Festival opened with "Phenomenon".

The delegation made clear that religious freedom in Germany was in no way called into question. They reported on their work and explained that the religious beliefs of individuals was not the Commission's subject, but that after receiving a large number of petitions from concerned citizens, the German *Bundestag* had decided to clarify the controversy that had arisen surrounding new religious and ideological communities and psychogroups. Their work was concerned with that clarification, not drawing up a black list.

The delegation repeatedly pointed out that Scientology was classified in Germany as a corporate group with a totalitarian orientation. For historical reasons, Germany was vigilant towards violations of personal liberties. It was particularly sensitive to all forms of totalitarianism. Furthermore, the Scientology Organisation was considered in the Federal Republic of Germany to be an extremist political movement, and that there was hard evidence to back that claim.

Since as a result of Scientology's deliberate information and disinformation policy there was some ignorance about Scientology's methods in Germany itself, the delegation explained that Scientology had never opted to go before the Federal Constitutional Court to have its alleged religious quality conclusively clarified, that Scientology had never brought charges on grounds of observation by the security services, and that it had withdrawn its action against Bavaria's measures in respect of public service employment.

Scientology was spreading disinformation even during the delegation's visit to Washington, claiming for example that a member of the Enquete Commission, Mrs Renate Rennebach MP, wanted to have Hubbard's teaching banned in Germany. The delegation was able to refute this claim in its discussions. Scientology's strategic response to the visit was to convene a conference to criticise the Enquete Commission, which was also attended by representatives of religious minorities. Scientology also tried to employ against the delegation the tactic prescribed by Hubbard of intimidating the opponent. A group of chanting Scientology demonstrators was waiting before and after each of the delegation's appointments with banners and cameras.

Having expressed their concerns about the protection of religious freedom in Germany based on Scientological representations, the members of Congress conceded that they knew nothing at all about the organisation's practices and structure. They were even unaware of the existence of the Rehabilitation Project Forces, called a penal camp by former Scientology members. It is impossible to tell when the American authorities will become interested again in the organisation, as they once were.²⁸¹⁾ Nonetheless, both Members of the Congress and representatives of the State Department emphasised that the organisation was not well regarded in the United States and that they personally distanced themselves from it. However, they viewed the talks with the delegation of the Enquete Commission as a first step to improving knowledge about Scientology on the American side.

The delegation's partners in the talks reported that public perceptions of the Scientology Organisation had recently become more critical, in particular criticism in the media had become more strident. The rather hostile mood that had developed was a result of the discovery by the internal revenue service of incidents involving tax concessions, investigations into the death of Lisa McPherson and the CAN case, in the course of which Scientology had sued CAN to oblivion and eventually taken it over.

In meetings with lawyers, former members, relatives and information initiatives, the accusations against the Scientology Organisation, already familiar to the delegation from experience in Germany, were emphatically endorsed. Above all, it became clear that the Scientology Organisation is double-faced, especially in the United States: the light side, a socially adapted facade of Hollywood celebrities, glamour and wealth; and the dark side, a totalitarian structure internally, with exploitation of members and massive threats, persecution and intimidation of dissenters.

Hollywood celebrities play a special role in Scientology. Certain artists serve as promoters and are strategically deployed in the political arena. John Travolta, for example, was able to bring a charge of alleged discrimination against Germany not just in Congress, but in the White House too. The delegation's partners confirmed that the Scientology Organisation had long-term political plans. Its declared aim was "clear planet", meaning a world dominated by Scientology. In that world only Scientologists could govern and only Scientologists could enjoy civil rights. In order to achieve that goal, Scientologists attacked their critics without restraint or scruple, for the "ethics" of Scientology admitted no dissent. There was strong criticism of the practice of attacking critics and ex-members. Scientology was exploiting the American legal system in an endeavour to overwhelm its critics with an

²⁸¹⁾ For example, the Federal Court of the United States of America for the District of Columbia in 1979 in case No. 78-401: United States of America vs. Mary Sue Hubbard and others on account of various violations of laws (conspiracy, theft of public property, aiding and abetting, incitement, perverting the course of justice, making false statements before the investigating magistrate, interception of oral communication, breaking and entering, aiding and abetting and incitement). Mary Sue Hubbard, third wife of Scientology founder L. Ron Hubbard, then head of the Scientology secret service Guardians Office, was condemned, among other things, to several years of imprisonment.

avalanche of deliberately engineered lawsuits to silence them with the threat of financial ruin; for in the United States, all litigants have to meet their own costs even if they win. There are not many lawyers in the United States who are prepared to work against the organisation for fear of the possible consequences. There was no government aid for the victims.

Nonetheless, there were a number of important lawsuits currently being fought against Scientology. They included the case surrounding the death of the scientologist Lisa McPherson, which had attracted a great deal of public attention, cases involving breaches of copyright by the organisation, the retrial sought by CAN on the grounds of the abuse of legal rights, and an action for damages during which the structure of Scientology's intertwined organisational units could be exposed. Experts believe that tax exemptions secured in the past would then have to be re-negotiated and might be withdrawn.

Scientology also uses defamation of its opponents, according to people who have been affected. Intimidation is attempted by spreading rumours in the opponents' immediate environment or among clients. To defend itself against criticism and counter-measures, Scientology is said to operate its own secret service, the "Office of Special Affairs" (OSA). One ex-member, himself a former "intelligence officer" for the OSA, reported that surveillance methods employed against opponents included monitoring telephone and credit cards, inspecting airline tickets and employing private detectives to collect information. This information was then kept in a file on the person concerned.

All in all, the Enquete Commission considered the visit a success. The delegation made plain that the Enquete Commission was not a "Scientology Commission", nor was it a commission of enquiry into the religious beliefs of German citizens. The Commission found that the Federal Republic of Germany and the United States were in full agreement in believing that nobody should be discriminated against on account of his/her religious affinity, and it made clear that there is no such discrimination in Germany.

It also became plain that the question of religious freedom is only one facet in bilateral relations and that the American partners in the discussions held both democracy in Germany and the German commitment to the defence of human rights throughout the world in high regard.

The approach to dealing with the phenomenon of new religious and ideological communities and psychogroups is different in the two countries. This has to do with their different historical backgrounds and different interpretations of the role of Government. Preventive action by Government to protect the individual against dubious practices by a religious community was rejected by American government representatives. They nevertheless considered education to be the correct approach by Government and told the delegation that they felt encouraged and strengthened by the work of the Enquete Commission and German action against Scientology. Furthermore, the people that the delegation met in their talks in the United States quite clearly confirmed that Scientology was an organisation in pursuit of political goals.

5.5 Legal aspects

5.5.1 Overview of relevant case law

Legal aspects in connection with new religious and ideological communities and psychogroups were already addressed in various sections of the Enquete Commission's Interim Report.²⁸²⁾ The mandate of the Commission was to "identify the limits to recourse to the constitutionally guaranteed freedom of religion for more recently established religious and ideological movements, so-called sects and psychogroups". Hence the need to consider the body of case law that has been developed in this area. In this chapter, we shall begin with a brief overview of court rulings that are concerned with new religious and ideological communities and psychogroups, and from there move on to consider core legal issues to which the Commission attaches special importance. The Commission has obtained its information about court proceedings from two sources: decisions which were known to the German Federal Government or experts from the Commission, and publications of quoted decisions, as well as decisions which were transmitted by third parties, including action groups of personally affected individuals and parents. It is not possible here to provide a complete presentation of all courts rulings. Our purpose is to mention those landmark judgements which have a bearing on new religious and ideological communities and psychogroups, as well as decisions which have been the subject of public debate. Wherever possible, we have also tried to take account of developments in case law as it has evolved in the light of discussions concerning the new religious and ideological communities and psychogroups.²⁸³⁾

As late as the 1980s, the legal discussion revolving around the new religious and ideological communities and psychogroups continued to focus on the question of whether they could actually be considered **religious communities** at all. For example, in his general survey of the issue, *Franz* considered decisions in which the courts' primary concern was to elucidate whether or not individual groups were actually religious communities. He also took up what was then a hotly debated subject, namely should the way a community sees itself be considered the sole yardstick by which to determine if it is a religious community.²⁸⁴⁾ Much progress has been made in this sphere thanks to rulings

²⁸²⁾ Cf. German *Bundestag*, Interim Report of the Enquete Commission on "So-called Sects and Psychogroups", 1997, *Bundestag* Doc. 13/8170, p. 60 ff., and p. 83 ff.

²⁸³⁾ A comprehensive record of case law up to the end of the 1980s can be found in Abel, R.B. et al.: "Die Rechtsprechung zu neueren Glaubensgemeinschaften", (ed.): Aktion Psychokultgefahren e.V. Düsseldorf, Verlag Norbert Potthoff Krefeld, 1991, as well as in Scholz, R.: "Probleme mit Jugendsekten", Reihe Beck-Rechtsberater in dtv. On the latest developments, see Abel, R.B.: "Die Entwicklung der Rechtsprechung zu neueren Glaubensgemeinschaften" in: *Neue juristische Wochenzeitschrift (NJW)* 1996, p. 91 ff. and Abel, R.B.: "Die aktuelle Entwicklung der Rechtsprechung zu neueren Glaubensgemeinschaften", in *NJW* 1997, p. 426 ff.

²⁸⁴⁾ Cf. Franz, W.: "Zu Rechtsfragen im Zusammenhang mit sogenannten Jugendreligionen", in *Deutsches Verwaltungsblatt*, 1987, p. 727 ff.

by the Federal Constitutional Court. The Federal Constitutional Court ruled that the official definition of religion as interpreted by government, i.e. the term “religion” in Article 4 of the German Constitution, in application of a regulation under the country’s legal system, lies with government, and in cases of dispute, with the courts (Federal Constitutional Court, Decision of 5 February 1991, 2 BvR 263/86 in *Entscheidungen des Bundesverfassungsgerichtes* (BVerfGE – Decisions of the Federal Constitutional Court, Vol. 83, p. 341ff, Part 1). According to the court decision, the community’s own perception of itself as a religious organisation has to be taken into account; furthermore, objective criteria, such as those derived from the science of religion, must also be considered. The important point here is that the government has a duty to remain neutral from both a religious and an ideological perspective. Any attempt to interpret the guarantee of religious freedom from a specifically Christian position would not be considered as being in conformity with the Constitution (see the description of the hearing of constitutional experts in the Commission’s Interim Report, *Bundestag* Doc. 13/8170, p. 13 f.).

From a constitutional point of view, it is equally important to determine when a religious community may claim the status of a **public corporation**. Article 140 of the German Constitution, in conjunction with Art. 137 (5), of the Constitution of the Weimar Republic, establishes the principles on the basis of which the status of a public law institution may be granted. It was not until the 1990s, however, that this was actually tested in the courts. The Federal Administrative Court ruled that the community of Jehovah’s Witnesses was not entitled to such status (Federal Administrative Court ruling of 26 June 1997, BVerwG 7 C 11.96, in NJW 1997, 2396). The judgement hinged on the fact that Jehovah’s Witnesses reject any form of participation in democratic public elections and consider participation in elections as being irreconcilable with membership of their community. As the community refuses to recognise the legitimate demands of the government on its citizens which flow from the principle of democracy, that same community cannot expect government to recognise it as a public corporation and therefore as a co-operation partner (Federal Administrative Court, loc. cit.). Jehovah’s Witnesses have filed a constitutional complaint against the decision, but no ruling has yet been made. Clarification of this legal dispute could be relevant for some other communities, too. A more detailed discussion of this question can be found in a later chapter (see Chapter 5.5.3.2 and the relevant minority opinion of the working party of the SPD parliamentary group in the Enquete Commission).

However, it is not just a question of determining when a community may be considered a religious community, and whether it may claim the status of a public corporation. There are other issues which have important legal ramifications, such as which activities are covered by religious freedom and to what extent do civil service regulations, labour legislation, industrial and trade law, the Act on Associations and other laws impose certain limitations on that freedom.

In the 1980s, for example, it was a matter of some dispute as to whether **teachers** could be banned from giving classes in school wearing clothing that identified them as Bhagwan followers or donning a mala during class (a mala is a wooden necklace that is worn with the outfit). Once case law had established that wearing the typical Bhagwan clothing and the mala was prohibited in the classroom, the question was laid to rest and the problem was never submitted to the courts again. Moreover, *Scholz* points out that in the autumn of 1985 the group changed its own rules, and as a result the requirement that followers wear clothes with reddish hues and the so-called mala was dropped.²⁸⁵⁾ In the 1990s, another problem relating specifically to the **public service** cropped up, and the question was asked whether it was permissible to ask applicants during recruitment interviews if they were members of the Scientology Organisation. As far as the Commission is aware, this approach – which was adopted by some of Germany’s federal states – has not been the subject of a court decision.

Although there were only very few court proceedings brought under **labour legislation** in conjunction with new religious and ideological communities and psychogroups in the 1980s, things changed in the 1990s with a number of cases going before the courts. A description of the situation in the 1980s and the beginning of the 1990s can be found in an article published by *Scholz*.²⁸⁶⁾ The decision of the Federal Labour Court (BAG) of 22 March 1995 (ref.: AZB 21/94)²⁸⁷⁾ constitutes a landmark decision. This is what it had to say about the Scientology Organisation:

- This organisation cannot be considered a religious community within the meaning of Article 4 of the German Constitution.
- The organisation treats its members in a “humiliating” manner.

We refer the reader interested in a comprehensive review of current trends to a later chapter (see Chapter 5.5.4.5).

During the 1980s, a number of legal actions were brought under the **legislation governing hotels and restaurants**. At issue here was the question as to whether members of the then “youth sect” of the Bhagwan/Osho movement were authorised to operate discotheques. In the final analysis, the authorities were forced to grant a licence. It proved impossible to establish either the unreliability of the managing director or the fact that guests were subject to unacceptable influence in conjunction with their membership of the Bhagwan movement.²⁸⁸⁾ The courts have not had to deal with similar cases in the recent past.

There is still one outstanding issue in connection with Scientology, however. The question to be answered is: Can a self-proclaimed religious community escape

²⁸⁵⁾ Cf. Scholz, R.: “Probleme mit Jugendsekten”, p. 62.

²⁸⁶⁾ Cf. Scholz, R.: “Arbeits- und sozialrechtliche Probleme durch Jugendsekten”, in: Zeitschrift für Sozialhilfe und Sozialgesetzbuch, 1992, pp. 618 ff.

²⁸⁷⁾ Cf. NJW 1996, p.143 (= Neue Zeitschrift für Arbeitsrecht – NZA – 1995, p. 823).

²⁸⁸⁾ Cf. Scholz, R.: “Probleme mit Jugendsekten”, p. 73 f.

the requirement to **register as a business or trade**. In the case law of the Federal Administrative Court, the consistent position has been that the definition of commercial activity under trade and industry law is any independent activity geared to the longer term that has an economic value and aims to produce a profit, with the exception of primary production, the professions (self-employed activities in the fields of science, the arts, literature as well as personal services that require a higher level of education) and the simple management and use of one's own assets (Federal Administrative Court, decision of 16 February 1995, BVerwG 1 B 205.93, no. 3.a. and subsequent amendments). In the view of the Federal Administrative Court, any activity that fits this description shall be considered a commercial activity even if the person or organisation involved in that activity considers its purpose as fulfilling a religious or ideological aim. Whether or not the scope of the economic activity is to collect funds for a religious or ideological community and therefore falls within the scope of Art. 4 of the Constitution, the protection afforded by that Article cannot be considered in isolation. Article 4 of the German Constitution cannot be invoked to justify limiting the application of other, equivalent legal acts. On the contrary, the Court ruled that relevant general laws must be applied in a way that curtails basic rights as little as possible (Federal Administrative Court, loc. cit.). Accordingly, dangers arising from a wholly or partially economic activity by a community that can claim protection under the provisions of Art. 4 of the Constitution should not be countered by a restrictive interpretation of constitutional rights, but rather through the application of the relevant laws in the manner described above (Federal Administrative Court, decision of 16 February 1995, BVerwG 1 B 205.93, no. 3e). In a recent ruling, the Higher Administrative Court of Bremen thus came to the conclusion that to the extent that a religious community engages publicly in an economic activity in order to proselytise, an appropriate balance needs to be struck between religious freedom on the one hand, and the equivalent constitutional rights of third parties. The economic activities of a religious community must therefore be registered as a business or trade (OVG Bremen, decision of 25 Feb. 1997, OVG 1 BA 46/95). By analogy with the decision of the Federal Administrative Court mentioned above, the Higher Administrative Court of Bremen held that the fact of registering a business or trade did not imply a value judgement and in any case had no significant detrimental effect on the religious activities (OVG Bremen, loc. cit., p. 17).

From the perspective of the **legal provisions governing associations**, a distinction needs to be made between the ban on religious and ideological communities and the revocation of the legal capacity of registered associations. The question regarding bans on associations will be considered in a separate section (see Chapter 5.5.4.1).

During proceedings instituted to revoke the legal capacity of a Scientology association, a decision was handed down by the Federal Administrative Court in November 1997. The ruling stated that on the basis of Section 43 (2) of the German Civil Code (BGB), an association whose aim according to its own stat-

utes is not directed to the exercise of a business activity may have its legal capacity rescinded if it engages in such an activity. At these proceedings, which preceded the decision of the Federal Administrative Court, the legal capacity of an association claiming the status of a religious community was revoked because it pursued economic goals. The administrative court had rejected the complaint, whereupon the Higher Administrative Court set aside the judgement in the opposition procedure and allowed the complaint. The Federal Administrative Court concluded that federal law had been misapplied by the decision of the Higher Administrative Court and hence referred the case back for renewed discussion and decision (Federal Administrative Court, ruling of 6 November 1997, BVerwG 1 C 18.95). It argued that the activities of an association may be considered as constituting an economic business if they are scheduled, geared to the longer term, external (i.e. not for internal consumption) and carried out under the management control of the association with a view to procuring an economic advantage for the association or its members. If, moreover, the association benefits from what should constitute its secondary activity, that it to say that if the corporate activity is part of, and subordinate to, the main purpose which is to promote an ideology, and if it is considered as a means to this end, then the association may be considered a non-profit organisation (Federal Administrative Court, loc. cit., p. 9). The matter would be considered quite differently if an association were to present itself to its members as a provider of services which, notwithstanding the ties with its membership, are usually also offered by others. Associations of this type, e.g. consumer associations or book clubs, are run as business enterprises (Federal Administrative Court, loc. cit., p. 10). There have been individual cases where it was not possible to determine on the basis of the facts how to classify the activities of an association. In any case, the court came to the conclusion that the fact that an association considered itself to be a religious community was irrelevant for the decision (Federal Administrative Court, loc. cit., p. 15). The subsequent steps of these proceedings are of relevance for a legal appraisal particularly of the Scientology Organisation.

The question of whether or not there is commercial activity is also closely related to the issue of whether groups which **recruit members** in the street (e.g. by addressing themselves directly to passers-by) require a special permit. This has been the subject of a number of court proceedings. As long ago as the mid 1980s, the Federal Constitutional Court was called upon to consider a case involving a group that claimed protection for its activities by invoking the law on religious freedom. The conclusion it reached was that stopping passers-by in the street to offer them a personality test, following which they offered to sell them books and services, was not covered by the constitutional concept of practising a religion (Federal Administrative Court, decision of 29 July 1986, 1 BvR 476/86). The recruitment of members in this particular case was considered not to have any of the features of missionary work. Thus, the appellants were not justified in claiming the right to remain silent about their religious convic-

tions. Although their right to do so was not in dispute, anyone wishing to avail themselves of the constitutional right to practise a religion must necessarily be prepared to reveal their religious beliefs (BVerfG, loc. cit.).

The Federal Administrative Court pointed out that to the extent that certain federal states recognise a special use of streets as a place where people can exercise their inalienable fundamental right to religious freedom, the same principles that have been consistently upheld by the Court regarding the unrestricted right of street artists to practise their art in the streets must also apply throughout the Federal Republic of Germany (Federal Administrative Court, decision of 4 July 1996, 11 B 23/96, in: *Neue Juristische Wochenschrift*, 1997, p. 406ff., 407). The control procedure established by the authorities under which permission may be obtained for such special usage was considered to be compatible with these constitutional rights. If – after consideration of the specific circumstances prevailing in a specific case – it were clear that the intended use of the streets would not seriously impinge upon the rights of vehicle users as covered by Art. 2 (1) and Art. 3 (1) of the German Constitution, or the rights of residents or other fundamental rights, authorisation would as a rule be granted. Judging whether a particular activity constitutes a disturbance of the peace on the public highway could well depend on whether the activity involved not just “proselytising” but also the sale of goods and services. Commercial motives alone, which were not apparent in the actual circumstances of the street use, would not affect the decision (Federal Administrative Court, loc. cit.).

In a dispute involving an association²⁸⁹) with close ideological ties to Scientology which had as its goal the disclosure of malpractice in the field of psychiatry and which did not claim protection under Art. 4 of the Constitution, the Federal Constitutional Court (BVerfG) ruled that the distribution of information leaflets on medical drugs and the like to passers-by was covered by Art. 5 (1) of the Constitution. If such an activity were subject to prior authorisation, there might be a case of an infringement of the Constitution if the applicable state-level legislation regulating the use of public highways did not provide for the possibility of granting such authorisation. To consider that the executive branch was at liberty to interpret and apply right-of-way legislation in so far as the authorisation of activities involving the expression of free speech is concerned, was, the Court ruled, incompatible with Art. 5 (1) of the Constitution (BVerfG, decision of 18 October 1991, 1 BvR 1377/91).

There are few known cases of **criminal proceedings** being brought, most likely due to the publication policy of the courts handling such cases. In the mid-1990s, members of the “Sant Thakar Singh” were condemned for the maltreatment of charges or wards of court (Starnberg District Court, decision of 29 Nov. 1994; date of the most recent oral proceedings; ref. 3 Ds 21 Js 3205/93). Some Scientologists have been condemned by the courts for slander and libel. There

²⁸⁹) In connection with Scientology, see Abel, R.B.: “Die Entwicklung der Rechtsprechung zu neueren Glaubensgemeinschaften”, in: *NJW* 1996, p. 91 ff., p. 95.

was one case where a court sentenced the defendant for distributing a Scientology brochure entitled “Hatred and Propaganda” (Hamburg Regional Court, decision of 20 March 1995, 709 Ns 677/94). In a further case, a high-ranking Scientologist – he was the vice-president of a Scientology association and a press spokesman of many years standing – was sentenced for gross slander of a Protestant pastor (Hamburg Regional Court, decision of 16.12.1994, ref.: 701 Ns 151/94). A further case involved the activities of a Scientology sub-organisation called “Narconon” which was sentenced under the provisions of the law governing non-medical practitioners, since it exercised the profession without having first obtained authorisation to do so (district court of Miesbach, ruling of 12 January 1995, Cs 65 Js 21802/90). Mention should also be made of two Scientologists who were sentenced by the courts for tax evasion. They not only defrauded the inland revenue of millions of marks in taxes but they also transferred substantial sums of money to the Scientology Organisation (Rostock Regional Court, ruling of 29 August 1994, II KLS 13/94 (Hi)). A further case involved a Scientologist who was sentenced for issuing threats after telling a detractor that he intended to kill him (district court of Heidelberg, ruling of 28 November 1995, 7 Cs 15 Js 4193/95).

A case that achieved some notoriety was the dispute involving the **closure of the accounts** of the Scientology Organisation held by Postbank AG. The Scientology Organisation filed for a temporary injunction, demanding that the bank continue to maintain its accounts until such time as a ruling had been made on the merits of the case. The request was dismissed. The Stuttgart Regional Court came to the conclusion that the bank was entitled to close the accounts as it had not been proven that the Scientology Organisation would not be able to find an equivalent alternative institution prepared to carry out its money transfers (Stuttgart Regional Court, judgement of 6 September 1996, 27 O 343/96).

Civil proceedings have also been instituted in order to recoup sums that had been paid to groupings. *Scholz* refers to court decisions dating back to the 1980s and makes the point that case law tended to be quite reticent about ordering course fees and the like to be refunded.²⁹⁰⁾ Quite recently there was a case of a woman who decided to leave the Scientology Organisation but was refused legal assistance to cover court costs by the Hamburg Regional Court. The claimant was seeking to recover DM 111,000 which she had paid to the organisation between 1987 and 1992 (Hamburg Regional Court, decision of 5 January 1998, 330 O 169/97). In setting out the grounds for its position, the Court stated that the chances of success in bringing an action were not sufficiently high. Ignoring the case law built up by the Supreme Court, it surprisingly justified its conclusions by saying that its decision was based – wrongly as it turns out – on the observation that the Scientology Organisation was “recognised as a religious community”. It went on to say that taking advantage of somebody’s psychological state alone was not sufficient to invoke a violation of

²⁹⁰⁾ Cf. Scholz, R.: “Probleme mit Jugendsekten”, p. 47

bonos mores and declare null and void a legal transaction. Judging from press reports,²⁹¹⁾ an appeal against the decision is likely to be filed.

However, not all cases involving the reimbursement of sums paid have met with the same lack of success. Thus, Munich Regional Court I ordered the Scientology Organisation back in 1993 to refund DM 28,934.38 to a former member (judgement of 9 November 1993, 28 O 23490/92). The Court came to the conclusion that the Scientology Organisation, in taking the money, had gone against public policy and was thus liable to return the money in accordance with Sections 817, 138 (1) of the German Civil Code (BGB). Although the Court accepted that the organisation was a “Church”, it nevertheless considered that the plaintiff had gone along with the organisation’s offer to invest in the firm belief that he was dealing with a scientifically proven method. The plaintiff had, from the very outset, referred to the writings of Hubbard. As a result, the Scientology Organisation could not argue that the effectiveness of the method depended to a large extent on the investor’s faith. If the “Church” were really of that opinion, then it would be duty bound to inform each applicant who referred to the book on “Dianetics” and who expected the method to be rooted in science that the success of the method did not lie in the realm of medicine but in some non-empirically proven field which could be termed religion or philosophy of life (Munich Regional Court I, loc. cit., p. 10). A violation of accepted moral standards can be deemed to have taken place if the organisation consistently harasses “believers”, convincing them that to achieve a higher degree of perfection they have to part with large sums of money and to entrust those amounts to the organisation after having subjected them to a kind of lie detector (E meter) during which they are required to reveal their entire financial situation as well as their spiritual and mental state, on the basis of which personal files are then built up (Munich Regional Court I, loc. cit. p. 15). Although the Scientology Organisation initially sought redress from the Higher Regional Court, it did subsequently more or less accept the verdict.²⁹²⁾ Overall, it can be said that no uniform line has been taken by case law insofar as the reimbursement of money is concerned.²⁹³⁾

Under **custody law**, a trend has emerged which is described in the Interim Report following the hearings organised on the subject of “the situation of children and youths in so-called sects and psychogroups.”²⁹⁴⁾ The European Court of Human Rights has upheld the principle that the mere fact of belonging to a new religious or ideological community or psychogroup does not allow any inferences to be made about a parent’s ability to raise a child. The dispute concerned the award of post-nuptial custody rights to a woman who was a Jehovah’s Witness. The Austrian Supreme Court set aside the decisions of the lower courts and awarded custody of the child to the father on the grounds that the

²⁹¹⁾ Hamburger Abendblatt of 21 January 1998, p. 12.

²⁹²⁾ Cf. report in “Der Spiegel”, issue 37/1996, p. 62.

²⁹³⁾ Cf. Abel, R.B.: “Die Rechtsprechung zu neueren Glaubensgemeinschaften in den Bereichen des Zivil- und Finanzrechts” in: Abel, R.B. et al.: “Die Rechtsprechung zu neueren Glaubensgemeinschaften”, p. 75 ff., p. 93.

²⁹⁴⁾ Cf. *Bundestag* Doc. 13/8170, p. 24 ff.

mother was a Jehovah's Witness. The European Court of Human Rights came to the conclusion that the decision of the Supreme Court violated the European Convention on the Protection of Human Rights and Fundamental Freedoms. Without prejudice to other possible reasons which could justify such a decision, it was argued that basing a judgement exclusively on a person's membership in a particular religious group was not acceptable. The European Court of Justice concluded in particular that in this case Articles 8 and 14 of the Convention had been violated (decision of 23 June 1993, case 15/1992/360/434). There has been considerable divergence in court rulings on the subject of who gets custody of the child, which in accordance with the principle set out above must be based not on a person's membership in a particular religious community but on the effects a particular type of education will have on the child's well-being. The outcome will be determined by the merits of each individual case. We refer the reader in this connection to the discussion in the Commission's Interim Report (Annex regarding working group 4, "Child welfare/Child abuse", part A).

Finally, there are court proceedings – so many in fact that it is difficult to keep track of them all – that deal with the admissibility of critical **comments about groupings**. A number of groupings have instituted proceedings in reaction to comments made about them in brochures containing warnings issued by the government, in answers of the German Federal Government or state-level governments to written or oral questions in Parliament, in newspapers or magazines, on radio and television, in positions of Churches and their commissioners for ideological issues, in books and comments from other quarters. The outcome of such proceedings has varied, but generally speaking applications for an injunction to refrain have tended to be rejected more frequently than upheld. In cases brought under civil law, the courts consider the comments in dispute from the perspective of the general principles of freedom of speech and the press. The majority of proceedings connected with freedom of speech tend to be dismissed either because the impugned statements can be proven, or because the impugned comments are considered to fall under the statutory freedom of expression. However, the courts may rule in favour of plaintiffs in the event that the statements made cannot be proven or are untrue.

However, the same principles also apply to the legal redress that may be sought against irrelevant, insulting and slanderous comments made by individual groups about their critics. The Scientology Organisation occupies centre stage in this connection in that defamatory pieces of writing – often produced abroad and sent from abroad – are used to make personal attacks on its critics and to demean them. Such activities comply with the instructions of the organisation's founder, L. Ron Hubbard.

Here, too, it is not easy for the attacked party to establish a clear link between deliberately juxtaposed implications and the negative effect of associations (e.g. the persecution of Jews in the Third Reich) and thus to obtain an order to refrain.

Insofar as government statements about the new religious and ideological communities and psychogroups are concerned, we refer the reader to the description of the government's information and advisory work (see Chapter 4.1).

5.5.2 General problems involved in legal disputes

Here a distinction needs to be made between situations where

- citizens and legal entities seek to have their claims against a group upheld, and
- groups seek to defend or to take the offensive in representing their positions by legal means.

Even though no statistics are available, it would seem that cases of the second type predominate.

Groups frequently argue that the behaviour for which they are criticised should be measured against a different set of standards as a result of the principle of religious freedom which is laid down in Art. 4 of the German Constitution. For example, they say that expensive services are part of their religious activities and therefore not subject to tax. Such arguments are often difficult to counter because the other party to the legal proceedings or the judges sitting in the courts of first instance often do not have the full information at their disposal. The importance of the constitutional principle of religious freedom has therefore created a lot of interpretation difficulties for the courts and also the administrative authorities, and as a result they have tended to rule in favour of the constitutional right, whether it has been invoked justly or unjustly.

5.5.2.1 Behaviour of new religious and ideological communities and psychogroups in terms of legal proceedings

In pursuing their goals, which may also include the suppression of criticism and the intimidation of critics, some groups consistently avail themselves of the possibilities open to them in a constitutional state. The type and scope of the legal proceedings they initiate conform in some cases to practices in US law, and in particular US commercial law. The strategic use of a broad range of legal instruments as an element of a more comprehensive, proactive or indeed aggressive and expansionist method is not usual in German society, at least not in connection with "religion" or "philosophy of life" groups. Those on the receiving end often feel intimidated by such a zealous attitude towards bringing cases to court. However, it should be noted that very few groups operate in this manner. The group that heads the list here are the Scientologists or Scientology, the Association for the Promotion of the Understanding of Human Psychology, Universal Life, Transcendental Meditation and Osho/Bhagwan. The intentions and priorities of these groups do of course differ. As a rule, Transcendental Meditation and Osho/Bhagwan institute proceedings in particular to ward off negative

comments made about them by government, whereas Universal Life and in particular the Association for the Promotion of the Understanding of Human Psychology and Scientology have adopted a very aggressive stance towards their critics. They try to stop such critics from distributing any information which they consider to be undesirable. These groups are clearly able to marshal quite large sums of money to achieve their ends. For example, the claim has been made – and no-one has ever disputed this – that the International Association of Scientologists (IAS) has access to what used to be expressly referred to as a war-chest which it uses to finance its battles against its critics. According to the instructions of the founder of Scientology, L. Ron Hubbard, court cases are not fought primarily to be won, but in order to wear down one's opponent. These are the tactics that Scientology seems to be following in the United States, where the organisation has systematically attempted to financially bleed critics such as L. Wollersheim or the information network CAN by repeatedly bringing actions against them. Recently, a California court invoked new California legislation which was enacted to prevent the misuse of the legal system ("Anti-SLAPP") in order to reject a complaint filed by the Scientologists, arguing that the organisation was abusing its right of legal recourse.

Germany is no exception, and attempts have been made and continue to be made here to use the courts as a means of preventing anyone from producing critical reports. Warning letters, letters threatening legal action, requests for an injunction are part of the standard treatment meted out to all anti-group authors and media. The groups enjoy an advantage, namely that the financial and human resources that they allocate to pursue the court case do not have to be justified from a business management point of view, whereas those who have to defend themselves must always weigh up the economic pros and cons of becoming involved in out of court settlements or legal proceedings, and thus having to find the necessary resources. This applies all the more so to private individuals. It is quite reasonable to ask, therefore, whether the economic clout of certain groups provides them with such a perceptible advantage in their legal disputes with critics, and whether these groups know this and try to get the most mileage out of it. Tactics also include attempts to get courts to grant an injunction in advance of an event, be it public or private, if critical comments may be expected. Those who are the recipients of such orders consider this to be a limitation imposed on their rights to freedom of speech and opinion. Legal disputes of this type have also been reported in conjunction with radio and television broadcasts which have shown the groups in a critical light. Nevertheless, it remains to be proved whether such methods are typical only for some of the groups in question.

5.5.2.2 Typical difficulties for individuals in legal disputes

As has already been said, individuals may be worried that they will not have the necessary financial means to cover the risk of having to go to court, especially if the case becomes protracted and appeals are filed. The following figures illus-

trate the point: the cost of litigation²⁹⁵⁾ for temporary injunction proceedings, if the case were to go to a court of first and second instance, would for an average amount in dispute²⁹⁶⁾ come to approximately DM 25,000.²⁹⁷⁾ This is a considerable sum of money for a private individual, but also for companies such as publishing houses. In addition, the parties do not start out on an equal footing given that, as a general rule, the groups are quite familiar with the contentious issues, their “house” lawyers are well versed in legal specificities, and they are able to produce a large number of pertinent standard arguments, legal documents, printed material etc. It has thus frequently come to notice that groups are able to react very quickly, submitting large volumes of legal documents which are accompanied by an equally large number of annexes. Even if the courts consider the material to be nothing but “ballast”, they still have to read through it and give it their considered opinion. The individual citizen, on the other hand, who gets caught up in a legal dispute with such a group, whether willingly or otherwise, runs into an immediate difficulty, which is to find a suitable lawyer who specialises in such cases.

Problems may also arise in cases when members of groups decide that they want to leave the organisation and then try to retrieve part of the money that they have handed over – and it is not uncommon for the amounts to run into five or even six digit figures. In many cases such persons may be totally impoverished, often in debt or even totally insolvent and, at least initially, without any fixed income. Informing them of their right to legal assistance is only of marginal utility. Even assuming that the few lawyers specialising in such cases were prepared to work for the fees paid under the legal assistance programme (which are well below the usual scale of fees), legal assistance only deals with the person’s own costs and fees. Were the impoverished party to lose the case, he/she would be required to pay the full costs of the opponent. Liability for the refund of costs could constitute an unacceptably high and unpredictable risk for a indebted or insolvent person. Thus, groups that are economically strong clearly have a legal advantage in such situations, so much so that opponents often have the impression that their legal rights are useless by comparison. The concerns expressed in other parts of this report regarding “sects” and “psychogroups” can be traced back to the impression that these groups have such economic power that they can force acceptance of their legal positions, and that their opponents are not only financially weaker but tend to be powerless against them.

Individuals who seek to affirm their rights in opposition to a group more often than not find themselves in a situation where they, as plaintiffs, are forced to provide evidence in support of their arguments. This sounds easy, provided that

²⁹⁵⁾ Based on average court costs and the lawyers’ fees for both parties.

²⁹⁶⁾ Approx. DM 60,000.

²⁹⁷⁾ Total amount including the gross costs of the opponent in the event that the opponent wins the action entirely. Usually a settlement is arrived at, in which case the costs of each of the parties will amount to approx. DM 10,000 to DM 15,000, depending on the duration of the proceedings.

documentary proof is available. However, it is not infrequent for individuals, whose claims are disputed by the group or its members, to find themselves short of hard evidence, the reason being that within the group processes are often not documented and there are no neutral witnesses to call upon. The members who remain in the group are unlikely to lend their support to those who have decided to leave, particularly if it is a group with a totalitarian structure such as Scientology. For such groups, leaving the organisation and taking it to court are deemed “loathsome behaviour” and even a “crime”, so that its supporters feel no compunction in committing perjury in court if in so doing they can undermine the position of the drop-out. For all these reasons it is particularly difficult for former members to obtain the nullity of the agreement by satisfying the requirements of Sections 138 and 123 of the German Civil Code in a manner which stands up in court (violation of bonos mores, deception and threat in the conclusion of a contract). The few documents that do exist tend to come from the groups themselves and are worded in such a way that they do not lend themselves to legal attack. Informal behaviour, e.g. the use of pressure or taking advantage of an individual’s weakness, and its effects on the freedom for the individual to take an informed decision are not basically things that can be proved. For the uninitiated newcomer who attends a management seminar, for example, cleverly “packaged” indoctrination methods are not immediately recognisable. It becomes very difficult later on to recall which individual elements were actually part of the indoctrination and, what is more important, to be able to provide that evidence to the court.

Here are three examples which illustrate how difficult it is to get courts to rule against the groups:

- Under labour legislation, the Scientology Organisation claimed that those who work for it, even if they put in 65 hours per week and more, do so on a voluntary basis with a view to spreading the “Scientology belief” and therefore should not be paid a normal salary. Before examining the merits of the main case, the first issue to be resolved was whether the plaintiff could be considered an employee and whether the Industrial Tribunal was competent to deal with the case. The action was brought by a former Scientology member who sought to sue the organisation for non-payment of his salary, and the case had to be heard by the courts of all three instances right up to the level of the Federal Labour Court after the lower labour court had declared that it had no jurisdiction. Only once a decision of general principle was taken did it become clear that a person working in this manner was to be considered an employee with all the rights attached to such a status, e.g. social security and holiday entitlements. Armed with the resolution of this basic issue, the labour court was then able to take up the main issue and consider the amount of pay the employee should receive. The proceedings lasted several years during which time the plaintiff was left to cope on his own with the financial difficulties that had arisen because of the time he had spent with the Scientology Organisation.

- The difficulty of providing evidence is compounded when cases reach the criminal courts. Sentences can only be handed down when courts are able to conclude without reasonable doubt that a criminal act has been committed. Public prosecutors in turn can only bring charges if a preliminary assessment of the case makes a conviction sufficiently likely. The kind of circumstantial evidence that is often presented, such as apparently inescapable psychological pressure (whether the individual is forced to adopt a particular behaviour, to engage in usurious activities or to agree to practices that could present a health risk), is difficult to substantiate, especially if it is the word of the former member against that of a large group of people who still belong to the organisation.
- If critics are systematically the subject of belittling, false or even slanderous statements²⁹⁸) and if as a result of this they report an offence to the police, many public prosecutors consider it to be a minor offence with little public relevance. Citizens who are critical of these groups consider this to be a denial of their legal rights, a de facto dilution of their freedom of speech and even as support by the government of financially strong groups that are quick to take legal action.

5.5.3 Constitutional appraisal

5.5.3.1 Article 4 of the German Constitution

Whenever the issue of the religious and ideological communities and psychogroups is discussed, it is inseparably linked with Article 4 of the German Constitution.

Article 4 of the German Constitution guarantees freedom of creed, freedom of conscience, as well as freedom of religious and ideological belief (Art. 4 (2) of the Constitution) on the one hand, and the three core freedoms on the other. Freedom of creed and conscience is intended to cover the internal freedom of the individual, the *forum internum*. The principle of freedom of belief goes beyond the *forum internum* in that it also covers the right to inform others of one's own convictions. According to the view of the Federal Constitutional Court, the right to practise a religion without interference is subsumed in the freedom of belief. **Religious** customs and cultic activities are considered to be fundamental rights. Such protection may, however, extend to other areas too, as was shown in the decision of the Federal Constitutional Court regarding the "*Aktion Rumpelkammer*" (junk room clear-out action). In this decision, the Federal Constitutional Court (BVerfG) extended the right to practise a religion to the

²⁹⁸) The Scientology Organisation uses an internationally operating secret service that is well versed in the art of psychological warfare (cf. Freie und Hansestadt Hamburg, Landesamt für Verfassungsschutz: Der Geheimdienst der Scientology-Organisation – Grundlagen, Aufgaben, Strukturen, Methoden und Ziele, 1998, p.18 ff., 61 ff.).

right to engage in charitable works without interference if such was the image a particular confession had of itself (BVerfG, decision of 16 October 1968, 1 BvR 241/66, in: Decisions of the Federal Constitutional Court – BVerfGE – Vol. 24, p. 236ff.). In a subsequent decision the Court ruled on the implications of the freedom of belief when criminal courts have to consider a case of failure to lend assistance (BVerfG, decision of 19 October 1971, 1 BvR 387/65, in: BVerfGE, Vol. 32, p. 98ff.). In this particular case, an appellant, who like his wife believed that prayer worked better than going to hospital, did not do anything to convince his wife that she should be taken to hospital for treatment. As a result, the wife died. The Federal Constitutional Court concluded that sentencing the man because of his failure to lend assistance was to disregard the collateral effect of Art. 4 (1) of the Constitution. The appellant, it said, could not be accused of having failed to convince his wife given that to do so would have gone against his own religious convictions and that she shared those same convictions (BVerfG, loc. cit., p. 109).

These decisions therefore do not allow us to conclude that every purportedly religiously motivated behaviour must necessarily be considered in the light of Art. 4 of the Constitution. On the contrary, the Federal Constitutional Court said quite explicitly that an abuse of the freedom of religion should be avoided. In consideration of the system of values established by the Constitution, and in particular the dignity of the individual, it can be assumed that there is a case of abuse to be answered if the dignity of the person were to undermine the dignity of others (BVerfG, decision of 8 November 1960, 1 BvR 59/56, in: BVerfGE, Vol. 12, p. 1ff., p. 4).

The problem of delimiting freedom of religion from other forms of self-expression which also enjoy protection is no easy task, a point already made in the Interim Report. At this juncture, it is more important to realise that the definition of the term religion as an application of a regulation that forms part of the legal system must lie with government, and government – in giving meaning to the term – is required to ensure neutrality and to rely on objective criteria (see Chapter 5.5.1 above).

An essential characteristic of the constitutional rules is that there are no written limitations. The prevailing opinion is that in the Constitution there is no valid legal reservation which would apply to Article 4. In the hearings of the Enquete Commission, it became clear that a school of thought was emerging according to which Art. 140 of the Constitution, in conjunction with Art. 136 (1) of the Constitution of the Weimar Republic, should be considered a valid legal reservation. Even if we leave aside this discussion, there is no dispute that fundamental rights are subject to certain limitations which are inherent in the Constitution. Thus, the outer limits of religious freedom are reached once the constitutional rights of others are affected to a degree that is considered unacceptable. This means that each case needs to be considered on its own merits and that it may be necessary to weigh up the contradictory interests in the light of the system of values established by the Constitution. It is quite possible, for instance, that

the fundamental right enshrined in Article 4 of the Constitution may have to defer to the superior rights of others (e.g. the right to life or physical integrity). The court cases described above, as well as the legal discussion about contentious legal issues involving the new religious and ideological communities and psychogroups, demonstrate that under certain circumstances prevailing constitutional law allows for a dividing line to be drawn vis-à-vis the rights of third parties. During the hearing with constitutional experts at the beginning of the work of the Enquete Commission, it soon became apparent that the experts believed that the introduction of a legal reservation for Art. 4 of the Constitution was inappropriate. The experts argued that introducing a legal reservation would mean that, pursuant to the principle of reasonableness, the public interest could always be invoked to justify an interference with the freedom of religion, which would impose an unnecessary and inappropriate limitation on the freedom of religion. Only if other objects enjoying higher legal protection were to be under threat or infringed might it be acceptable for government to intervene. Furthermore, such activities which are improperly carried out under the “guise of religion” do not, of course, enjoy the protection of Art. 4 of the Constitution.

The Enquete Commission rejects the idea of modifying Art. 4 of the Constitution, whether this is done by including the loyalty to the Constitution clause from Art. 5 (3) 2nd sentence of the Constitution or through a legal reservation. Such an amendment would send out the wrong political signal and would be interpreted to mean that the legislator intended to restrict the freedom of religion guaranteed by the Constitution.

Furthermore, such an amendment is also superfluous. The discussion showed that even without modifying Art. 4 of the Constitution, existing provisions provided the legislator with the necessary tools to effectively ward off possible risks to the citizens or the State itself. There appears to be a general consensus that Art. 4 of the Constitution is subject to certain limitations which are inherent to the Constitution. Differences of opinion that arose during the discussions – involving in particular references which could be interpreted as providing a basis for the creation of “firewalls” – do not have any bearing on the Commission’s basic attitude.

The adoption of Art. 140 of the Constitution, in conjunction with Art. 137 para. 1 of the Constitution of the Weimar Republic, banning the established Church, lead to a fundamental separation of Church and State. What happened in practice was that channels of co-operation were developed between the two. The terms of reference given to the Enquete Commission did not include the question of whether the relationship between Church and State needed to be redefined.

Against this background, the Enquete Commission sees no need to modify or supplement Art. 4 of the Constitution. The Enquete Commission supports without reservation religious and ideological freedom, tolerance and plurality on the basis of Art. 4 of the Constitution. Government must maintain a neutral position with regard to the religious and philosophical convictions of its citizens.

5.5.3.2 Rights of corporations²⁹⁹⁾

Current legal position

Art. 137 of the Constitution of the Weimar Republic as incorporated into Art. 140 of the German Constitution includes paragraph 4, which stipulates which religious communities are accorded legal capacity under the provisions of German civil law. Furthermore, paragraph 5 states that religious communities which were already recognised as corporations under public law at the time the Constitution of the Weimar Republic was adopted are entitled to retain their status. It then goes on to say that: "Other religious communities shall, if they so request, be entitled to the same rights provided that their statutes and the number of their members provide a guarantee of continuity. In the event that several of such religious groups under public law should come together in an association, then such an association shall also be considered a corporation under public law." According to paragraph 7, religious groups shall be deemed the equal of associations "if they see it as their duty to cultivate as a community a particular philosophy of life".

It is on the basis of this clause that, in addition to the so-called "old corporate bodies", such as the Christian Churches and the Jewish communities, there have been a host of smaller religious and ideological groups that have been granted corporate status. Since the end of the second world war, different groups have fallen into this category, such as the non-denominationals and the Mormons.³⁰⁰⁾ Jehovah's Witnesses do not have the status of a corporation under public law, and a request to this effect was turned down by the Senate of Berlin. The Administrative Court and the Higher Administrative Court of Berlin both granted the petition for recognition as a corporation, however the Federal Administrative Court in its decision of 26 June 1997³⁰¹⁾ set aside the judgements of the lower courts and refused to grant corporate status to the Jehovah's Witnesses. The Jehovah's Witnesses have filed a well-founded constitutional complaint against this decision, and it is far from clear what position will be taken by the Federal Constitutional Court.

Insofar as the requirement in terms of the "number of members" is concerned, the administrations of Germany's federal states have agreed that throughout Germany the minimum should be established at about two thousandths of the population.

Importance of corporation rights

Art. 137 (6) of the Weimar Constitution and Art. 140 of the German Constitution grant religious and ideological communities which enjoy corporate status the

²⁹⁹⁾ See also the minority opinion of the working party of the SPD group in the Enquete Commission on "So-called Sects and Psychogroups", p. 307.

³⁰⁰⁾ Solte provides an overview in: Listl, J./Pirson, D.: Handbuch des Staatskirchenrechts 1, 2nd edition, 1995, p. 425 ff. The newly incorporated communities are shown to have less than 100,000 members each.

³⁰¹⁾ BverwG 7C 11.96, in: NJW 1997, p. 2396 with a discussion by Abel, R.B., in: NJW 1997, p. 2370.

right to raise Church taxes, a right which most (although not all) such corporations exercise. Moreover, corporate status confers the right to make use of a core set of powers which are the traditional preserve of public institutions.³⁰²⁾

Opinions differ as to the extent to which such powers are still of relevance today (for example, the right to establish a civil service). However, the very fact of gaining recognition as a corporation under public law puts organisations into an entirely different legal sphere and over time the differences between them and private organisations grows, allowing them to gain in influence and prestige. Thus, religious communities which enjoy corporate status may be considered for positions on supervisory and advisory boards, for example on the boards of broadcasting stations. It can also be assumed that with the growing market of religious, ideological and other offers of salvation, corporate status may well come to be seen as a quality label which “consumers” can trust. The financial and spiritual advantages of corporate status seem to have been recognised. Even the Jehovah’s Witnesses, who did not want to have anything to do with a status that smacked of collusion with government back in the 1960s, are now very attached to the idea, as the long drawn-out case before the courts proves.

The issue

This raises the question of whether every religious or ideological community that has stood the test of time and has a certain number of members should be granted the special status of a corporation under public law irrespective of the belief or doctrine involved. Those who drafted the Weimar Constitution originally had this broader concept in mind, but then of course at the time some 98 per cent of the population was organised within the Christian Churches, and smaller or newer religious communities – which tended to be marginal Christian groups – did not have much importance either in terms of the number of their followers or their social impact (with the exception of the Jewish communities, and they too did not represent that large a group, numerically speaking). These sociological conditions have of course changed for good. This in turn begs the question whether government, which is required by the Constitution to remain neutral in matters of religion, is obliged to confer corporate status on all associations or communities and to recognise them, at least unofficially, as partners with whom it is prepared to co-operate provided that their membership represents at least two thousandths of the population and that there is some guarantee as to their continued existence (the general opinion is that it must have made the transition to the second generation). There seems to be a general consensus that the answer to this question is no. In the literature the line most often taken is that conferring corporate status should not be based on a formal assessment of the test of time principle, but rather that this feature should be supplemented by additional unwritten criteria to determine suitability for corporate status. Deter-

³⁰²⁾ Cf. Weber, H. in: Listl, J./Pirson, D.: Handbuch des Staatskirchenrechts 1, 2nd edition, 1995, p. 577.

mining what those additional features should be is of course a matter of some dispute. For example, “implicit” requirements include respect for the law, the ability to exercise jurisdiction, “general recognition”, and some even call for “a generally positive attitude towards the State”. In the judgement concerning the Jehovah’s Witnesses referred to above, the Federal Administrative Court adopted the position that the government was entitled to expect respect for the law from an organisation seeking to gain corporate status. Thus, a community seeking such status must ensure that its actions and dealings respect the limitations implicit in the Constitution. In exceptional circumstances, the government may have to force a community to respect the constitutional order. According to the Court, the government cannot be expected to support an association by granting it corporate status if the association’s actions run counter to the public interest, which is a tacit requirement of the Constitution and justifies the support provided by government. In the particular case in point, the Federal Administrative Court denied the Jehovah’s Witnesses corporate status because the latter systematically refuse to allow their members to participate in elections, and hence in the fundamental legitimacy of the democratic state. This view is not shared unanimously. For example, H. Weber, who is an expert in legislation governing the established Churches, submitted an extensive opinion for Jehovah’s Witnesses during the above-mentioned proceedings in which he sets out the detailed reasons why he arrives at the opposite conclusion. For the moment, it is not easy to forecast how the Federal Constitutional Court will decide the issues which have been put before it. If the Federal Constitutional Court confirms the judgement of the Federal Administrative Court it will provide legal certainty for the future, because an organisation would not be able to demand corporate status without reference being made to its life and teachings. In view of the decisions handed down by the supreme court in connection with the new religious and ideological communities and psychogroups, a change or addition to the Constitution does not appear to be necessary. The same applies to the idea of initiating a review of these issues.

5.5.4 Application and/or extension of the scope of existing law

5.5.4.1 Association and tax law

Law governing associations

Under Article 9 (2) of the German Constitution, associations whose actions are directed against Germany’s constitutional system are prohibited. The procedural rules applied in such cases (e.g. investigations, the judicial order and enforcement of the ban, consequences for the assets etc.) are laid out in the 1964 Act on Associations. In Section 2 (2) clause 3 of the Act on Associations, religious and ideological communities are explicitly excluded from the scope of the Act. It is therefore perfectly possible for a religious or ideological community whose aims are unconstitutional to be registered as an association, and yet the instruments provided for in the Act on Associations to prohibit such a community

cannot be applied. The solution to this dilemma is the subject of theoretical controversy and so far there have been no precedents. The experts who participated in the hearing organised by the Commission argued that banning religious communities was simply not feasible. The Federal Administrative Court, on the other hand,³⁰³⁾ takes it for granted that in the light of Art. 9 (2) of the Constitution, a minimum respect for the law is something that can be expected of all religious communities. This position was based on a decision (the so-called Ludendorff decision which concerned *inter alia* the banning of an association called “*Bund für Gotterkenntnis e.V.*”, Federal Administrative Court judgement of 23 March 1971, BVerwG I C 54.66 in: BVerwGE, vol. 37, p. 344 ff.) that itself was determined by the legal situation prevailing in 1961, i.e. before the current version of the Act on Associations was adopted. In view of the lack of clarity regarding the legal situation, the Commission believes it right to examine whether a change in the law is possible so as to allow the legal instruments put in place by the Act on Associations to apply also to religious communities registered as associations (see the Commission’s recommendations for action, Chapter 6.2.3.3).

Tax law

Whenever religious communities operate in the public eye, the question that frequently comes to mind is whether they should be treated as charitable organisations from a tax point of view. The status of charitable organisation is granted by the tax authorities on the basis of the rules contained in Art. 52 of the German Tax Code, provided the activities of the communities are aimed at providing material, spiritual or moral comfort to the general public without seeking personal gain in the process.

The Enquete Commission is of the opinion that before charitable organisation status is conferred, all measures should be taken to determine whether an association which is favoured by such a status satisfies the requirements of loyalty to the Constitution, internal democracy, and an internal legal structure. The aims and statutes of an association that benefits from recognition by government as a charitable organisation must comply with constitutional and democratic principles. This position is in line with the opinion that prevails in tax law, namely that an association cannot be considered a charitable organisation if its activities do not comply with the constitutional order.³⁰⁴⁾

5.5.4.2 Act on Non-medical Practitioners

Historical review

Non-medical practitioners are officially recognised in Germany, which means that the population has access to a professional class which, in addition to the

³⁰³⁾ As in the decision on the recognition of the Jehovah’s Witnesses as a corporation under public law; see Chapter 5.5.3.2.

³⁰⁴⁾ Cf. Klein, F./Orlopp, G.: Abgabenordnung, 4th edition, Art. 52, comment 2 with a reference to the Federal Court of Auditors (BFH), Federal Tax Gazette (BStBl), p. 85, 106.

medical profession and within certain limitations, is authorised to treat patients. Although the profession exists in some form or other in Northern Europe and some of the Swiss cantons, it does not exist as such in any other European country. It must be said, however, that the existence of the profession in Germany is probably due to historical circumstances, given that plans were drawn up in 1939 to abolish it. On the other hand, the original clauses limiting access to the profession of non-medical practitioner contained in the law were lifted with the entry into force of the German Constitution.

The Act on Non-medical Practitioners of 1939 repealed the freedom of treatment principle that had been in existence since 1869, according to which – according to the decision of the then Supreme Court of the German Reich – any person was authorised to practise medicine without consideration of their knowledge, level of training, experience, skills or grant of title. The Act on Non-medical Practitioners, which was originally adopted by the German Reich and is now part of federal law, was guided by the following arguments:

- a. Preservation of the status quo for existing lay healers, making their activities subject to a conditional licence whereby the grant of the licence depended on a number of subjective criteria. Since 1941, passing the Board of Health aptitude test has been an added requirement, but the test is not a specialist exam in the usual sense of the term, but rather aims to prevent any danger to public health according to the principle of “*primum nil nocere*” (i.e. “at least does no harm”).
- b. New licences were only to be awarded in exceptional and justified cases, the aim being to allow the profession of non-medical practitioners to die out naturally.
- c. The running of training centres for lay healers or non-medical practitioners was banned as a logical development of this policy.

In the former German Democratic Republic, this was the legal situation right up until the time of German unification. Indeed, in 1949, the conditions were even tightened up to the extent that the possibility of being granted a licence in exceptional circumstances was abolished, whereas the exact opposite happened in the Federal Republic of Germany. The exemption clause which offered an opening to the profession was deemed by the Federal Administrative Court to be unconstitutional, as a consequence of which everybody has the right to obtain a licence as a non-medical practitioner provided that he/she fulfils the conditions set out in the Constitution.

Diversity of methods available to non-medical practitioners

Freedom of treatment and free choice of methods are two quite distinct concepts, and the Act on Non-medical Practitioners has never tried to address the issue. This aspect is thus of particular relevance to the profession of non-medical practitioner because it relies on a great variety of methods in the paramedical or alternative medicine field, most of which are totally or partially unrelated,

and range from nature healing and experience-based treatments to homeopathy and esoteric methods. That is precisely why the Act on Non-medical Practitioners is a so-called “catch-all” law in that it seeks to encompass all types of healing activity, whether they are based in, and recognised by, science or not, and handles them under the conditional licence regime. Against this background, the profession of non-medical practitioner is treated in case law as “non-homogeneous”.

Free choice of methods means that government does not interfere in the way treatment is provided. It is thus not empowered to use a legal provision to qualify a method of treatment as either effective or ineffective, useful or less useful. This is a task that is left to science. Consequently, the attitude of government towards the profession of non-medical practitioner is bound to be one of indifference, provided that it is not shown to be harmful. Freedom of method does not give an authorised “healer”, whether he/she is medically qualified or not, *carte blanche* because the due diligence rules that exist in both civil and criminal law stipulate that the licence only covers the right of that individual to operate within the limits of his/her own personal knowledge and skills. This also explains why the Federal Court of Justice requires the same measure of diligence from non-medical practitioners as it does from legally qualified doctors.

Given this situation, it is obvious that there can be no uniform training for the profession of non-medical practitioner, and hence, there can be no government-sanctioned training programme. After all, the profession of non-medical practitioner is inseparable from the plethora of different forms of treatment that lie outside the scope of conventional medicine. Whenever there is a discussion about the profession of non-medical practitioner, the point that always comes up is that it must be preserved, especially nature healing and various empirical therapies, and these cannot be reduced to one common denominator. Such methods of treatment include, for example, homeopathy, classical natural healing methods and non-European traditional medicine (hydrotherapy, heat therapy, movement therapy, nutritional therapy, plant therapy, Kneipp psychic therapy, extended anthroposophic therapy and Chinese medicine with acupuncture, acupressure, Tai Chi, Chi Qong), as well as Bach’s flower therapy, faith healing, relaxation methods, as well as biological and technical methods which are on the margins of science. In order to avoid value judgements, all these treatments are referred to as “unconventional medical methods”.

All forms of therapy practised by non-medical practitioners, with the exception of most types of traditional natural healing methods, are considered to be either non-effective from a scientific point of view, or their effectiveness is subject to dispute. The problem arises when the government feels that it has a duty to adopt rules in an area as essential as consumer protection. The fact is that government does not have access to expertise that is independent of the world of science, and hence has no choice but to be guided by current scientific thinking. In a pluralistic society, however, the scientific nature of health care is a contentious issue.

Unconventional medical methods are in widespread use, and even medical practitioners may resort to one or other form from time to time. As a result of the recent adoption of the revised version of Article 135 (1) no. 1 of the SGB V (Code of Social Law, Part V) which opens up the possibility for such methods to be refunded by social security and which itself was part of the second law introducing greater self-management and personal responsibility in the statutory health insurance scheme³⁰⁵), one can expect unconventional methods of treatment to gain greater prominence. In view of these circumstances, the government has very little leeway to secure an efficient form of consumer protection in this area, and in particular to protect customers from quacks and charlatans.

Consumer protection in the market of unconventional and simulated methods of treatment

Different methods of treatment and the relief of suffering is a topic that crops up regularly in public discussions. Individuals and groups offer methods ranging from the “laying on of hands” to the promise of curing cancer or AIDS through a more spiritual approach.

Often what purports to be a religious message of redemption is mixed with offers of psychological or pseudo-psychological services. In the commercial “life-counselling” market, one can find lots of offers from people who claim to be able to help others to find their way in life, to develop their personality, and the same applies to the market for cures. Groups of all kinds of conflicting persuasions offer a variety of services ranging from the solution of money problems to promises of cures. Just saying that alongside conventional medicine alternative medical methods have developed does not do justice to the phenomenon.

The provisions of the Act on Non-medical Practitioners have led in the past to a number of legal disputes involving healers. The Enquete Commission has discussed various aspects of the medical and psychotherapeutic issues and their connection with the ideological and philosophical movements, and these have been described in the Interim Report.

In order to provide a clearer picture of those legal disputes, we need to begin with a more detailed analysis of the legal issues contained in the Act on Non-medical Practitioners.

The establishment of an efficient form of customer protection is rendered complicated at the present time by the fact that in case law there is no uniform view of what the term “practising the art of healing” actually means within the context of the Act on Non-medical Practitioners. Basically, one can find two interpretations of the term in case law.

The Federal Administrative Court looks at the objective aspects of this question, the so-called objective theory. Based on this approach, the assumption is that the activity which is subject to authorisation presupposes medical or healing

³⁰⁵) 2nd GKV-NOG of 23. 6. 1997, BGBl 1 (Federal Law Gazette), No. 42, p. 1520 ff.

skills on the part of the practitioner. Considered from such a legal perspective, this applies to the aim, type and method of the activity, as well as to the decision whether a particular form of treatment may be started (cf. Federal Administrative Court of 10 Feb. 1983, NJW 1984, 1414 with the relevant references). The reason why non-medical treatment is subject to authorisation is that the treatment being considered may be harmful to human health. Consequently the Federal Administrative Court considers that medical therapies which do not represent a serious danger to human health should not be subject to licensing as required by the Act on Non-medical Practitioners (cf. Federal Administrative Court, NJW 1970, 1987 ff.). According to this view, there exists a form of unconventional medicine which does not fall under the Act on Non-medical Practitioners.

The Federal Court of Justice, on the other hand, takes as its starting point a different definition of the term “practising the art of healing”. In criminal proceedings for infringement of the Act on Non-medical Practitioners, the Federal Court of Justice was able to uphold its so-called “impression theory”. Essentially, the Court considers the subjective impression of the patient who goes to a non-medical practitioner (BGHSt 8, 237). In accordance with this view, “practising the art of healing” according to Section 1 of the Act on Non-medical Practitioners is any act which in the mind of the patient is designed to provide a cure to an illness or attenuate its effects. It does not matter therefore which method of treatment or cure is used by the “healer”, but rather that the intention is to cure an illness or provide relief from pain and suffering. The application of this definition means that a medical act is being performed whenever the aim is to cure pain and suffering through the use of putative or simulated forces (BGHSt 8, 237, 239).

The risks to customers resulting from unconventional or simulated methods of treatment can be illustrated with the following examples:

a. Auditing and Scientology

In his book “Dianetics”, L. Ron Hubbard speaks of his method as a therapy. He starts with a description of “Dianetics” from which he derives the Scientology therapy (called “auditing”), a therapy which he claims attenuates physical ailments. This creates the impression in the mind of the uninitiated reader and potential customer that through Dianetics the Scientology Organisation is able to cure such ailments and health disorders, whether real or subjective.

“Auditing” can therefore be considered as the core method of treatment for the Scientology Organisation. To understand this better, we need to consider the outlines of the theory developed by its founder, L. Ron Hubbard.

According to L. Ron Hubbard, the human mind – our intellect – is like a large computer. This intellect or so-called “analytical mind” stores all our perceptions in what is termed a memory bank from which all information can be retrieved through the “time track”. The theory then goes on to explain that there are times of so-called unconsciousness, by which is meant experiences in which emotional or physical pain arise. L. Ron Hubbard refers to these as so-called

“engrams”. These are supposedly stored, and he would have us believe that the storage medium is the so-called “reactive mind”. This reactive mind is linked to the body, is therefore transitory and is considered something negative. The “analytical mind”, the so-called “thetan”, on the other hand, is basically good and is considered to be immortal.

The purpose of Hubbard’s teaching is to get rid of the bad “reactive mind” in order to release the good “analytical mind”. According to the theory, disruptive “engrams” need to be wiped out. This is done through dianetic therapy (auditing) by reviving the so-called engrams, that is to say the emotional or physical sufferings experienced in the past.

According to this approach, all neuroses, psychoses, psychosomatic disorders and even anti-social behaviour are to be considered as problems of the “reactive mind” (in the language of Scientology, this is referred to as “aberrations”). As auditing is designed to erase the “engrams”, this method promises to provide a cure for the suffering or complaint (L. Ron Hubbard: “In all its simplicity, Dianetics achieves the following: (...) It involves a therapeutic technique with which all non-organic mental disorders and all organic psychosomatic disorders can be treated in the certainty of a complete cure in all cases”, *Dianetics*, 8th edition, p. 19).

The person to be audited is counselled by an “auditor” who is trained in the Scientology method. The organisation aims at training every person who participates in a Scientology course in the technique of “auditing”. According to the organisation, initial training usually lasts three weeks. In other words, even after a very short time- albeit at the lowest level – a person can be trained as a “therapist”.

This example shows that the use of “auditing” – a type of conditioning process³⁰⁶⁾ when its purpose is to provide a cure – does involve an act of medical healing within the meaning of the Act on Non-medical Practitioners if one accepts the “impression theory” of the Federal Court of Justice. As auditors do not as a general rule have a licence under the terms of the Act on Non-medical Practitioners, the organisation could be deemed to be in permanent breach of the law (cf. Chapter 5.5.5.4). In addition, it should be borne in mind that the use of auditing in the case of individuals unable to cope with psychological pressure may lead to health disorders, serious illnesses,³⁰⁷⁾ and there may even be a risk of suicide.³⁰⁸⁾

³⁰⁶⁾ Cf. Kind, H.: *Ausgewählte Zitate und Auszüge aus dem Schrifttum von L. Ron Hubbard*, Info-Sekta Zurich 1994, p. 22.

³⁰⁷⁾ Cf. Mende, W./Nedopil, N.: *Nervenärztliches Gutachten vom 21. 12. 1984 in der Verwaltungsstreitsache Landeshauptstadt München gegen Scientology-Vereinigung*, unpublished; Kind, H.: loc. cit., p.24.

³⁰⁸⁾ Cf. judgement of the 13th Chamber of the *Tribunal de Grande Instance of Lyons* of 22 Nov. 1996 in conjunction with the decision of the *Appellate Court of Lyons* of 28 July 1997; Schuch, F.: *Scientology: Empirical report*, in: *Arbeitsgemeinschaft der österreichischen Seelsorgeämter, Werkmappe “Sekten, religiöse Sondergemeinschaften, Weltanschauungen”*, No. 73/1995.

b. The Bruno Gröning-Freundeskreis

Bruno Gröning, who died in 1959, was a man who in the traditional sense of the term was a “faith healer”. As Gröning used to claim that he was sent by God, the “*Bruno-Gröning-Freundeskreis*” can be considered a healing community which springs from a Christian spiritualist tradition. Gröning groups teach that there is a healing current that can penetrate people provided that they have the right “attitude”. This healing current exists, they say, thanks to Bruno Gröning.

Bruno Gröning hit newspaper headlines and was involved in legal disputes as early as 1954. At the time, proceedings had been initiated against him for practising medical treatments without authorisation. In order to be able to continue his work he became an assistant to a non-medical practitioner. It is said that even today the silver foil balls that were energised by him are actually revered by the Bruno Gröning groups. This may explain why there are such difficulties with the beliefs of this group in terms of healing. In 1958 the courts sentenced Gröning for breaking the Act on Non-medical Practitioners to a suspended prison sentence and he was ordered to pay a fine. Large numbers of documents have been produced on Bruno Gröning, which goes to show that even after his death in 1959 the Bruno Gröning groups have remained active and true to his teachings. One of the more contentious issues is the founder’s statement that there is “nobody who is not curable”, a statement that is taken by his followers at face value.

As a result, people are given to understand that there are miracle cures and that they can be treated through faith, which in extreme cases could lead to a situation where they refuse medical advice when they fall ill.

The fact that apparently even medically qualified physicians have joined the Bruno-Gröning-Freundeskreis lends this group even greater importance. An announcement has been made to the effect that a medical verification of the claimed cures on the basis of scientific standards will be carried out, but only time will tell whether this is actually going to happen.

c. Digression

Dachverband geistiges Heilen e.V. (National Association of Spiritual Healers)

Spiritual healers in their various manifestations have established an umbrella organisation to which until recently the Bruno-Gröning-Freundeskreis also belonged.

In the process individuals and groups obviously came to the realisation that “spiritual healing” could be in conflict with the health legislation of the Federal Republic of Germany. Thus, for example, the national association publishes its own legal handbook for healers in which it gives them advice on how to deal with the authorities, as well as offering some standard letters and ideas about the legal situation.

In the introduction of the handbook, there is a heading – “Practical Application of the Act on Non-Medical Practitioners” – which considers the shortcomings in the law and points out how to reduce the legal risk involved in certain activities. Another section entitled “Legal Guide” provides advice on how to provide treatment without running foul of the law.

For example, one can read the following: “Keep a logbook and get the patient to confirm the words you have spoken to him/her. You will find a model in this book to help you. This provides proof of your visit. Obviously the log book must not be tampered with. The model also contains a standard statement. It is a good idea not to write the addresses of your patients on the form or in your card index. That would be an invitation to the Director of Public Prosecution to summon the patients for questioning”.³⁰⁹⁾

How to improve consumer protection in the market of unconventional healing practices

Given the growing variety of unconventional methods of treatment, there is a considerable risk that patients will be given the wrong treatment, either by mistake or because they are dealing with quacks, and as a result will come to harm. Under such circumstances, government has a compelling duty to introduce greater transparency and so put an end to the confusion that reigns in the health treatment market. In fact, plans are underway to introduce a law on commercial life-counselling services to cover a part of this problem (cf. Chapters 5.5.5.3 and 6.2.3.3) so that standards of quality assurance can be adopted to cover individual kinds of alternative treatment.

It would be also beneficial from the point of view of customer protection if there was a supreme court ruling on what practising the art of healing means within the context of the Act on Non-medical Practitioners. The Enquete Commission believes that it is necessary to define the term “medicine” (*Heilkunde*) in the Act on Non-medical Practitioners in line with the case law of the Federal Court of Justice (BGHSt 8, p. 237).

5.5.4.3 Provisions of the law on parents and children

a. Act on the Religious Education of Children (RKEG)

The hearing organised by the Enquete Commission on the subject of “The Situation of Children and Adolescents in So-called Sects and Psychogroups – Part III: Legal Aspects” on 20 March 1997 confirmed that the law on the religious education of children which has been in effect since 1 January 1922 has more or less fallen into disuse in the day-to-day practice of the courts. In spite

³⁰⁹⁾ This is a summary of the advice given: Do not present yourself as a medical doctor, do not give a diagnosis, do not make any statements regarding how the treatment works, do not carry out a specific, individualised treatment, do not make speeches, and ask for a written confirmation that no medical service was offered.

of the fact that the values which underpin the law have lost none of their topicality and are in many ways excellent, the law is usually no longer directly accessible for the practitioner, as the annotations to the German Civil Code (BGB) which are contained in the so-called “Palandt” no longer include the law itself nor any commentaries on the issue.

Apart from the annulment and transitional provisions contained in Section 8 ff. of the RKEG Act which have now become outdated, the actual contents do not need amending.

Listed below is a summary of the most important provisions of the RKEG Act:

- Tying in with the definition of parent used in the German Civil Code, Section 1 of the RKEG Act speaks of the right of parents to determine, on the basis of an agreement between them, the religious education to be given to the child. At the same time, however, it also says that the right to determine religious education is intimately connected with the issue of personal custody.
- In the event that there is no agreement between the two parents, Section 2 (1) of the RKEG Act refers the persons having custody of a child to the rights and obligations that flow from Section 1626 ff. of the German Civil Code (BGB). This requires that both parents having custody attempt to reconcile their differences (Section 1627 (2) BGB) or that one of the parents submit a request to the guardianship court to grant him/her sole rights if that is in the best interests of the child (Section 1628 (1) BGB).
- Article 2 (2) of the RKEG Act says that if one of the child’s parents changes religious faith, the agreement of the other parent must be obtained. According to Section 2 (3) of the RKEG Act, if the other parent refuses consent, the guardianship court may be asked to intercede or to take a decision, in which case it should not only keep the child’s welfare in mind but also the purposes of education.

The requirement that the two parents agree on the religious education, or that the consent of the other parent be obtained, continued to apply until 30 June 1998 under the law applicable to parents with sole custody following a divorce. This was superseded by the law on parent and child which stipulates that the principle of joint custody after a divorce stands unless one of the parents requests sole custody.

The religious education of a child born out of wedlock is the responsibility – according to the prevailing opinion – of the unmarried mother, with the exception of those cases where both parents make use of the possibility which has been given them since 1 July 1998 to register joint custody.

- If the court appoints a guardian or curator with either single or joint custody, the regulations of Section 3 of the RKEG Act apply.
- Vis-à-vis third parties, Section 4 of the RKEG Act renders null and void all contracts under civil law regarding the religious education of children.

- Finally, Section 5 of the RKEG Act satisfies the right to self-determination of the child, that is to say the right to freely choose his/her faith as of the age of 15 and, as of the age of 13, not to be forced to change religion against his/her will.
- The provisions of Section 6 of the RKEG Act are of particular interest given the subject that the Enquete Commission was asked to consider. The manner in which the law is applied allows the scope of the Article to extend beyond religious education in the narrower sense of the term to include the raising of a child in a non-denominational ideology or philosophy of life.
- Section 7 of the RKEG Act establishes the competence of the guardianship court in disputes arising in conjunction with the RKEG Act as well as any action it may order by virtue of its authority, and since 1 July 1998 by virtue of the new powers invested in it, in the following cases: intervention of the family court if the well-being of the child is at risk within the meaning of Section 1666 of the German Civil Code (e.g. the misuse of parental authority, neglect of the child, non culpable failure of the parents to assume their responsibilities or the behaviour of a third party). Of course, cases where the child has no possibility to exercise his/her self-determination as a result of the choice by the parents of a particular belief also falls under this category.

b. European harmonisation of the law governing the relationship between parents and children

Against the background of an increasing number of cases where children are abducted and taken abroad by one of their parents – sometimes as a result of religious or ideological beliefs – serious problems may arise because of the fact that the law governing the relationship between parents and children differs from country to country. The issue of custody rights certainly needs to be harmonised and amended, at least at the European level. This is an area where differences in the way in which courts deal with claims for the surrender and custody of children, as well as visiting rights, can be avoided as they do, in the final analysis, operate to the detriment of the child's well-being.

5.5.4.4 Usury

Legal situation

When dealing with new religious and ideological communities and psychogroups, the question invariably arises as to whether the provision of services or goods by such groups constitutes usury or exploitation, an offence under Section 291 of the Penal Code (StGB).³¹⁰⁾

³¹⁰⁾ Since 20 Aug. 1997, the wording of Section 302a of the German Penal Code, which defines usury and exploitation as a punishable offence, has been included in Section 291 of the German Penal Code in the 13 Aug. 1997 version of the Anti-corruption Act (BGBl. I, No. 58, p. 2038 ff.). Since no commentaries are as yet available on the new text, the bibliographic references appearing here still relate to the old version of Section 302 a of the German Penal Code.

The relevant section of the provision states that the offence of usury or exploitation is deemed to have been committed by any person who exploits the predicament, inexperience, incapacity to judge or significant weakness of will of another, thereby obtaining for himself or a third party in return for certain goods or services (Section 291 (1) clause 3 of the German Penal Code) material or financial advantages which are manifestly out of proportion to the goods or service provided.

Paragraph 2 of the provision holds that the seriousness of the offence is compounded if, as a result of the perpetrator's acts, another person is placed in a situation of economic need or if the acts have been carried out on a commercial basis.

Reports from former members of a number of groups show that it is entirely possible to find oneself in a situation in which one is totally under the influence of the group and in a psychologically weakened state, such as may be exploited for financial gain. The test to be applied is whether the notion of protection enshrined in Section 291 of the German Penal Code, which makes the material exploitation of a victim's weakness an offence, is relevant in the individual case in point.

Examples of the above-mentioned situations include:

- In the case of Scientology, pressure on members to buy one or even two "E meters". Material value of the scientifically worthless device approx. DM 500; selling price (at the end of 1994) between DM 5,168 and DM 10,560 (with accessories).
- The sale of so-called medicines, either at prices far above those of comparable, recognised products available from the market, or else having no value whatsoever.
- The offer of courses or seminars where the price charged is grossly out of proportion to the service actually provided.
- The sale of shares or participation certificates without any real economic substance, e.g. based solely on the group's allegedly very high profit expectations.

The wording of Section 291 shows that the provision is very much case law orientated in its construction. As well as mentioning the various situations of weakness which might be exploited in an unfair manner, the law specifically designates a series of typical exploitative activities (charging unfair rents and usury, as well as acting as agent in an exploitative or usurious transaction). Furthermore, the interpretation of the particular elements of the offence frequently tends to focus on the specific circumstances of the individual case, which makes it difficult to discern a clear line. By way of action to be taken, the Enquete Commission recommends that clauses be added to the law, as indicated in Chapter 6.2.3.5, in order to make it clear that the above-mentioned problem of psychological influence can itself constitute an element of the

offence contributing to the victim's finding him or herself in a situation of weakness. The proposed clarification of the law makes it evident that the concept of "predicament" embraces not only economic difficulties, but also personal distress which may, *inter alia*, be brought about by psychological influence. Psychological dependence may still be subsumed under the concept of "significant weakness of will", provided the prerequisites are present in the required intensity.

Legal assessment

It is beyond dispute, both in legal theory and in case law, that goods, shares, courses, seminars and sundry services fall within the scope of "other services" as understood by Section 291 of the German Penal Code. As for that which is provided being "manifestly out of proportion" to the price paid, the test considers the customary market price for such goods or services.³¹¹⁾ If no market value can be ascertained (there being no market), the assessment is merely based on a "fair price" or "reasonable profit", as determined in the light of the circumstances.³¹²⁾ The assessment criteria used to judge whether goods and services in the context of new religious and ideological communities and psychogroups are overpriced are identical to those applicable to any other case of exploitation.

The sole problem arising out of the cases under consideration here has to do with judging the state of the victim who, by dint of belonging to a group, has been induced to pay an excessively high price for certain goods or services. The issue is one of ascertaining the presence or otherwise of the "predicament" and/or "significant weakness of will" elements of the offence, which form the basis for the material exploitation of the victim.

a. Presence of a predicament

It would be conceivable to construe the particular situation of members of certain new religious and ideological communities and psychogroups as a predicament, since the victim may feel "compelled" to acquire the overpriced goods or services being offered under the influence of the teaching being dispensed.

*For the purposes of Section 291 of the German Penal Code, a "predicament" is understood to mean a situation in which the victim finds him/herself in particular difficulty. Since the revised wording of the provisions on usury and exploitation appeared in the *Erstes Gesetz zur Bekämpfung der Wirtschaftskriminalität* (1. WiKG, 1976 – First Act on Combating White-Collar Crime), it has been unanimously accepted that the exploitation of a situation of economic difficulty falls within the scope of the notion of a predicament.³¹³⁾ Moreover, a predicament is said to exist also when other circumstances, i.e. those of a non-economic

³¹¹⁾ Cf. Tröndle, H.: "Strafgesetzbuch und Nebengesetze", 48th. edition., Section 302a, para. 25 w. N.

³¹²⁾ Cf. Stree in Schönke, A./Schröder, H.: "Strafgesetzbuch Kommentar". 25th edition., Section 302a (18); BayObLG, NJW 1985, 873.

³¹³⁾ Cf. Official justification, *Bundestag* Doc. 7/3441 p. 40.

nature, give rise to a compelling need on the part of the victim to acquire the exploitative goods or services.³¹⁴⁾

Examples of such predicaments include:

- usurious interest rates being levied as part of the “re-scheduling” of payments due (economic predicament) or
- exorbitant prices being charged for clean drinking water in a situation where there was a danger of an epidemic following flooding (other predicament).

Consequently, the definition of a predicament for the purposes of the present legislation goes beyond the “state of distress”, the element of the offence previously laid down in law which proved too narrow in practice and which was largely interpreted as meaning “dire economic need”.³¹⁵⁾ This is apparent also from the manner in which the causing of economic distress has been singled out as a further aggravating circumstance in Section 291 (2) clause 1 of the German Penal Code in its current version.

The existing case law and literature on Section 291 scarcely address the question of predicaments of a non-economic nature. However, in the view of the Enquete Commission, it is entirely possible in the area of new religious and ideological communities and psychogroups for a problem group, through its activities, to place the exploited person in a comparable predicament, albeit of a different kind, in which he or she is incapable of refusing the exploitative goods or services. However, no references are to be found to date, either in case law or in legal theory to such “psychological predicaments”.

b. Significant weakness of will

Moreover, it would be possible to see the dependencies created within a group as “significantly weakening the will” of those who find themselves incapable of refusing an exploitative offer.

According to the generally accepted interpretation of Section 291 of the German Penal Code, a significant weakening of the will is said to occur when the power to resist a usurious or exploitative offer is diminished to such an extent that the state of weakness thus created is comparable to the other situations referred to in Section 291 of the German Penal Code (i.e. predicament, inexperience or incapacity to judge).³¹⁶⁾ In other words, the provision is aimed at any psychological weaknesses exhibited by the exploited person, having their origin in the person himself or herself and which go beyond normal susceptibility, taken here to mean, for instance, that which may be tapped by tempting advertising.³¹⁷⁾

³¹⁴⁾ Cf. Stree, loc. cit., Section 302a (23).

³¹⁵⁾ Cf. Kindhäuser, U.: Nomos Kommentar zum Strafgesetzbuch, as of June 1997, Section 302a (30).

³¹⁶⁾ Cf. Stree loc. cit., Section 302a (27); Report of the Special Committee on Criminal Law Reform, *Bundestag* Doc. 7/5291 p. 20.

³¹⁷⁾ Cf. Kindhäuser, U.: Nomos Kommentar zum Strafgesetzbuch, Section 302a (34); Official justification in *Bundestag* Doc. 7/3441 p. 41; Samson in “Systematischer Kommentar zum Strafgesetzbuch”, as of November 1997, Section 302a (36).

These weaknesses must not necessarily have attained the level of an illness; however, the expert commentaries contain numerous references to cases of significant weakening of the will in which the person's resistance was diminished as a result of the effects of addiction (drug, alcohol or gambling addiction).³¹⁸⁾

In the light of the foregoing, psychological influence could be accepted as a cause of significant weakening of an individual's will. If the decision-making ability of an individual is impaired by the influence of one of the dubious new religious or ideological communities or psychogroups to such an extent that a free decision in favour of or against accepting overly expensive goods or services is out of the question, then there has clearly been a significant weakening of the individual's will, as understood by Section 291 of the German Penal Code. The question of whether the influence over the individual has reached this level – which is entirely comparable to an addiction – will have to be judged on a case-by-case basis.

It may therefore generally be said that the offer of blatantly overpriced goods or services on the part of new religious and ideological communities and psychogroups, especially within the ambit of commercial cults (see Chapter 5.3.4) and systems based on expected profits (see Chapter 5.3.5) already constitute usury or exploitation under the existing legislation and are punishable as such. The pressure put upon the individual can be so strong that he or she is placed in a predicament which is then exploited for material gain. Similarly, the mental state of the person can be influenced to such an extent that a significant weakening of the will has to be assumed.

Practice to date

The law on usury and exploitation has tended not to have a very high profile in the field of criminal law practice. Police crime statistics for all of Germany for 1993 mention only 454 cases of offences against the old Section 302a of the German Penal Code (new Section 291 StGB). This is in part due to the fact that bringing a charge of usury or exploitation always involves the victim's own failings becoming public knowledge. At the same time, it may be that the victim's dependence on the perpetrator is so great that the former is afraid he will suffer more if he informs.³¹⁹⁾ However, it should be noted that a criminal prosecution for usury or exploitation does not necessarily begin with the lodging of a complaint. It is far more often a so-called ex-officio offence, whereby initial suspicion of such activities is notified through official channels. This is an aspect which has not so far been given sufficient prominence.

³¹⁸⁾ Cf. Schäfer/Wolf. In: Leipziger Kommentar, StGB, 11th. edition, Section 302a (21) StGB; Lackner, K.: Strafgesetzbuch, 2nd edition, Section 302a (8); Stree loc. cit., Section 302a (27).

³¹⁹⁾ Cf. Scheffler, U. "Zum Verständnis des Wuchers gemäß §302a StGB", in Goltdammer's Archiv Für Strafrecht (GA), 1992, p. 1 ff., (p. 2 ff.); Schäfer/Wolff, in: Leipziger Kommentar, p. 2 ff., StGB, 11th edition., Section 302a history.

As observed earlier, no judgements or theoretical opinions have yet been published on the specific question of usury or exploitation within the ambit of new religious and ideological communities and psychogroups. The above description shows, however, that cases with criminal law ramifications could certainly arise. It is a prerequisite of the investigative function of criminal law in these cases that the investigating officials should have access to sufficient sources of information to enable them to form an objective view, especially with regard to the above-mentioned “predicament” and “significant weakening of will” elements. More work will therefore need to be done to provide further education and information.

The knowledge that a certain group always employs the same or similar methods in order to gain influence over a person could, moreover, be used to facilitate the investigative work. Thus, investigations launched by official bodies could make use of witnesses who had not taken the first step of lodging a complaint against the group. This could be of considerable importance as regards the willingness of the individuals concerned to provide information.

5.5.4.5 The Act on Psychotherapists

In its Interim Report, the Enquete Commission has already drawn attention to the urgent need for an Act on Psychotherapists. Chapter 6.2.3.6 contains a recommendation for action to ensure that appropriate care is available for those who have been harmed by new religious and ideological communities and psychogroups or the booming market for “life-counselling products” and esoterics.

5.5.4.6 Aspects of labour and social security law

Matters relating to social security legislation were already addressed prior to the establishment of the Enquete Commission in petitions submitted to the German *Bundestag* with regard to various groups.

According to the current legislation regarding the social security of the individual, a distinction is to be made between those who are members of a spiritual fellowship or belong to community of a similar kind, and those whose relationship is that of employee to employer.

In principle, all persons who are gainfully employed or undergoing vocational training are obliged by law to be insured under the statutory pension scheme. Employment is defined as labour provided for the benefit of a person other than oneself and in particular, in a relationship where the person providing the labour is dependent as an individual on his employer. According to the current case law of the Federal Social Court, a relationship of employment is deemed to exist where, having considered all of the circumstances in the case in point and according to the commonly-held opinion, the provider of labour is personally dependent, with that dependence primarily expressing itself in his position within the undertaking and/or the right of the employer to manage him.

The same applies to members of spiritual fellowships, deaconesses (members of Protestant sisterhoods) and those belonging to similar communities while they are serving the community and during the period of their non-school education (Section 1 Social Code VI). Membership in the statutory pension scheme is not mandatory for the aforementioned persons if, according to the rules of their community, they would expect to receive the care afforded customarily by the community to those whose ability to work is diminished or to the elderly and to the extent that provision of such care is guaranteed. On leaving an order or similar community, the former member must retroactively be provided insurance cover under the statutory scheme for the period spent working within the community. The wage in respect of which this cover is to be obtained must be equivalent to at least 40 percent of the reference amount. The reference amount is based on the average earned wage of all persons insured under the scheme in the last-but-one calendar year.

In the area of unemployment insurance, regular members of spiritual fellowships, deaconesses and similar persons who, for predominantly religious or moral reasons, are involved in nursing or in education or who perform other duties of value to society and who leave what is – by virtue of the law (Section 27 (1) clause 4 SGB III) – non-insured employment, are not retroactively insured. The same applies to the statutory health insurance scheme.

With regard to health insurance, the persons in question are not required to pay insurance if, for predominantly religious or moral reasons they care for the sick, teach or perform other duties of value to society in return solely for their bed and board or a nominal wage sufficient only to enable them to meet their immediate needs in terms of accommodation, food, clothing and so on. Furthermore, the statutory health insurance obligation does not apply to clerics belonging to religious societies recognised as public law corporations if according to administrative law or principles, they are entitled in the event of illness to the continued payment of salary and benefits.

The Federal Ministry of Labour and Social Affairs has stated that it follows from the above principles that members of new religious and ideological communities and psychogroups are as a matter of principle obliged to subscribe to insurance if they are engaged in work having an economic value. By means of a number of test-cases, the pension insurance providers have attempted to obtain clarification within the ambit of company audits as to what wage should be taken as the basis for the insurance in cases where the employee in question receives a conspicuously low wage. The *Bundesversicherungsanstalt für Angestellte* (Federal Social Insurance Institute for Salaried Employees) is involved in proceedings against a community over a disputed demand for social security contributions. These proceedings have not yet been completed. Furthermore, with regard to claims by members of new religious and ideological communities and psychogroups against their respective communities, it must be clarified whether responsibility for the pursuit of such claims lies primarily with the members themselves.

When considering labour law questions, it is noteworthy that in both case law and in legal texts and commentaries, much of the space is taken up by the dispute with the Scientology Organisation. Since the decision of the Federal Labour Court not to recognise Scientology as a religious community (Federal Labour Court, decision of 22 March 1995, 5 AZB 21/94, NJW 1996, 143), there have been proceedings relating to dismissals in connection with Scientology membership, as well as proceedings relating to the licence to act as a private placement service. In the case of the dismissal of persons belonging to the Scientology Organisation, the courts concluded that dismissal is justified if warranted by the behaviour of the person in the case in point (cf. Labour Court of Berlin ruling of 11 June 1997, ref.: 13 Case 19/97 and Labour Court of Rhineland-Palatinate ruling of 12 July 1995, ref.: 9 Case 890/93; in both cases, the behaviour of the individuals in question was such that the dismissals were upheld; in the latter case, a works council member was dismissed for disrupting company activities by recruiting for Scientology during working hours). There is some doubt as to whether membership of the Scientology Organisation is in itself justification for the revocation of a private placement service licence.³²⁰⁾

More generally, the Federal Ministry of Labour and Social Affairs has observed that there is no provision in German labour law for the official monitoring of compliance with contractual or collectively-negotiated obligations or for penalising or documenting any breaches. However, labour protection officials at the level of Germany's federal states would certainly act against infringements of labour protection law provisions, such as those on working time.

During the course of discussion, a representative of the Federal Ministry of Labour and Social Affairs pointed out that there was no legal definition in the Federal Republic of Germany of the concepts of "employment relationship" or "employee". According to the case law of the Federal Labour Court, an employment relationship exists if, under the terms of a private law contract, services are provided for and on behalf of another. The question of whether a situation of personal dependence exists is to be answered in the light of the overall circumstances of the individual case and bearing in mind the commonly-held opinion. Furthermore, he added that the extensive case law of the Federal Labour Court must also be borne in mind.

Another problem is that of drawing the dividing line between an employment relationship and activity based on the rules of the group or community. The new religious and ideological communities and psychogroups frequently maintain that their members are merely doing their duty within the group. It is true that case law recognises that membership of an association may be considered as a legal basis for the provision of a service, irrespective of the nature of the association and indeed even whether it is a religious or ideological community. Here

³²⁰⁾ Cf. description given in Abel, R.B.: "Die aktuelle Entwicklung der Rechtsprechung zu neueren Glaubensgemeinschaften, in: Neue Juristische Wochenschrift – NJW – 1997, p. 426 ff. (427).

again, it could be argued that a service is being provided by a dependent individual – i.e. that a normal employment relationship exists. An agreement between a new religious or ideological community or a psychogroup and a person working for it does not lose the qualification of employment relationship merely because the organisation claims that the relationship is based on membership of the association or group. The case law of the Federal Labour Court has consistently maintained that the fact that certain duties may arise out of membership in an association cannot be used as an excuse to circumvent the mandatory protective provisions of labour law. Where the membership rights of the association member obliged to perform the task in question do not allow him to exert influence on the association, the Federal Labour Court invariably assumes that a contravention of the mandatory protective provisions of labour law has occurred. Furthermore, a breach of labour law may also occur if the association member (who to a large extent is obliged to provide labour as a dependent individual) has neither a claim to an appropriate remuneration nor is he/she entitled to care. Where the aim of the association is an economic one, the relationship is *de facto* one of employee to employer. In the presence of circumstances such as these, where the intention is to side-step labour law, it should be assumed that an employment relationship does exist, with all that this entails. These are also the considerations which led the Federal Labour Court to conclude in its above mentioned Scientology Organisation ruling that an employment relationship did indeed exist.

The Federal Ministry of Labour and Social Affairs has pointed out that one of the problems which arises when dealing with providers of services, such as life-counselling services, is that although the providers appear to be self-employed, they are to all intents and purposes employees of their new religious or ideological community or psychogroup. This form of sham self-employment would seem to represent an attempt to dodge the labour and social security laws and the attendant financial obligations. The pseudo self-employed person who offers services on his own behalf is an employee, even if the contract concluded with him is inaccurately described as a job-specific or a service agreement or whatever, and it is therefore subject to the customary labour law stipulations. Even within the context of new religious and ideological communities and psychogroups, the distinction between the genuinely self-employed and the pseudo self-employed must be defined according to the criteria set out by the Federal Labour Court. This is not without its difficulties, since this approach takes no account of possible special and psychological dependencies which may arise in the context of new religious and ideological communities and psychogroups.

In those cases where we are bound to assume that the persons in question are employees, a particular problem arises with regard to the wage paid to those who work for new religious and ideological communities and psychogroups. It has emerged from labour court cases, especially in the south of Germany, that the work the employees are required to do takes up so much of their time that any other employment is out of the question. In return for this work, they receive

an extremely low wage. In principle, wage levels are determined by reference to a collective agreement. However, in public debate, it is often forgotten that an employee is entitled to a collectively negotiated wage only if both he and his employer are bound by the agreement or if a generally binding wage agreement is applicable. Only then are collective agreements directly applicable and binding. In the world of the new religious and ideological communities and psychogroups, individual contracts posited on collective agreements tend to be the exception. Consequently, employment contracts provided by new religious and ideological communities and psychogroups fall outside the scope of collective agreements. Where the wage paid to the employee is wholly disproportionate to the effort he is expected to provide, to such an extent that it may be said that the employment contract is immoral or exploitative and hence null and void under the terms of Section 138 of the German Civil Code, Section 612 would apply, in which case the employer would be required to pay the local going rate for the work in question. Again, in determining this rate, reference would be made to the relevant collectively agreed wage.

In the case of individual contracts, it is noteworthy that many statutory entitlements, especially regarding continued payment of a salary in the event of illness and the statutory minimum number of days' leave are either limited or excluded altogether. Such an agreement would also be null and void under the terms of Section 134 BGB. Since these are individual entitlements, it is up to the employee himself to lodge a complaint. An additional problem is that of working hours which exceed the limits set down in labour legislation. The problem becomes particularly acute when the individual is put under extreme pressure to work hours far in excess of the maximum as specified in legislation on working time. It would be possible in such cases for the trade inspectorate to intervene and impose fines or, in especially serious cases, call for a term of imprisonment to be imposed.

Another problem is posed by in-house training of employees. In principle, it is up to the employer to decide how such training is organised. Nevertheless, the employer is under an obligation to safeguard his employees' health and their individual rights. It follows that if an employer were to behave in a manner contrary to the law, it would be possible to investigate only if individual employees were to ask for action to be taken. The Federal Ministry of Labour and Social Affairs feels it would be useful to re-state clearly that an employee may at any time refuse to participate in in-house training or continue with such training if he feels that its content or method violates his rights as an individual or any other rights. It would also be helpful to have a provision stating that an employee cannot be forced to remain silent on in-house training and that he has a right to be heard by the competent authority if the training violates his basic rights or criminal law or if he is called upon to violate the rights of others.

Yet another problem is posed by members of new religious and ideological communities and psychogroups who take up employment outside their new religious or ideological community or psychogroup. Many employers are feeling a

growing need to guard against taking on members of new religious and ideological communities or psychogroups. This is especially true of organisations whose declared aims include the acquisition of influence in business life. One way for the potential employer to protect himself would be to put a suitable question to the applicant during the interview or on the application form or to include an appropriate clause in the contract of employment. The right of the employer to ask the question is recognised only if he has a justifiable and valid interest, worthy of protection, in receiving an answer to his question. This is the conclusion to be drawn from the ruling of the Federal Labour Court. The Federal Labour Court has always accepted the existence of such an interest, provided the information being sought was necessary in order to ascertain the suitability of the applicant for the post. Thus, questions relating to the applicant's religion or ideological leanings are acceptable if the employment on offer is with a company that might be termed a trend-setter. Otherwise, questions as to the applicant's religion or ideology are not permissible. Once again, it should be pointed out that as a result of the Federal Labour Court's decision not to recognise Scientology as a religious or ideological community, it is permissible to ask an applicant whether he or she has links with Scientology. However, even membership in organisations other than religious or ideological communities is rarely an indicator of the suitability or otherwise of an applicant for a post. For this reason, employers have regularly been denied the right to ask about membership in associations or organisations. These questions are permissible only if membership in a particular organisation is held to be incompatible with a person's functions within the company. It should also be borne in mind that private employers enjoy far more liberty than public sector employers when it comes to the questions they may or may not ask. It is also of interest to note in this context that according to Scientology's own lights, it is acceptable to reply untruthfully if asked if one is a Scientologist. On the other hand, one is bound to tell the truth if asked whether the technology of L. Ron Hubbard would be applied or if one is a member of the IAS. It should be remembered that under Section 123 of the German Civil Code, an employer is entitled to reconsider his employment relationship with any employee who has given a false answer to an employer's permissible question about membership in this type of organisation. Another possibility for the employer is to append a statement to the employment contract or include it as a clause therein, in which the employee declares that he is not a member of any of the organisations in question and will not join one. Of course, this option exists only to the extent that the employer has the right to ask a question about membership in the first place. The situation is less clear as regards the person who joins a particular organisation during the course of an existing employment relationship. The Federal Labour Court places a very restrictive interpretation on the right to ask the question in the framework of an existing employment relationship.

With regard to the general question of dismissal of members of new religious and ideological communities and psychogroups, there are to date no instances

in labour court case law of dismissal being justified solely on the grounds of membership of such a group. Other features have to be taken into account which preclude suitability for a particular post. An additional possibility is forced dismissal, where other employees, customers or other persons pressure the employer into dismissing an employee who belongs to a new religious or ideological community or psychogroup and where the employer's sole option, in order to resolve the conflict, is to dismiss the person. Furthermore, dismissal could be envisaged where an employee has been active on behalf of his organisation and in so doing betrayed commercial or industrial secrets to the organisation, perpetrated fraud for the benefit of the organisation or sought to recruit for the organisation among co-workers during working hours using resources belonging to the company. The two labour court rulings so far handed down on this question have since been confirmed by the Higher Labour Courts of Berlin and Rhineland-Palatinate. The fact that dismissal is authorised under these circumstances is by no means specific to the particular set of problems under review.

5.5.5 Legal provisions to be adopted in future

5.5.5.1 Establishment of a foundation in the field of "new religious and ideological communities and psychogroups"

Introduction

The discussion of the problems which regularly occur when dealing with new religious and ideological communities and psychogroups has caused the Enquete Commission during the course of its debates to consider in some detail not only what needs to be done by way of information gathering but also potential ways of minimising conflict.

It is a fact that there are many such conflicts, not only at an individual and family level, but also within society as a whole.

The private counselling and information centres and self-help centres which operate in the Federal Republic of Germany and have provided active assistance for some time, have also come into conflict with problem groups.

During the hearing on Article 4 of the Constitution, the invited experts made it clear when discussing the question of "public funding for private counselling centres" that whether or not there would be objections from a constitutional law point of view would depend on the way in which the counselling centres gathered their information.

As was made clear during the non-public hearing of "Counselling and information centres for so-called sects and psychogroups" on 2 December 1996, the representatives of the agencies consulted also feel it would be a good idea to

establish a Foundation to provide overarching legal assistance and financial support both for the agencies themselves and for those who leave the sects or who have been otherwise affected by them.

Form of the foundation

It should be a public law foundation, created jointly by the federal and the state-level authorities. The fact that the federal and state-level authorities would be both involved will send a political signal throughout the Federal Republic of Germany that a uniform approach is being applied. The work of the foundation should be supported by a scientific advisory board.

Functions of the foundation

The foundation should cover the following fields of responsibility:

- creating a substantively and financially sound framework for the counselling centres working in this area;
- proposing or carrying out research work, to be done either by the Foundation itself or else contracted out;
- systematically compiling the existing material in a library and/or publishing information by means of new media for the benefit of the public at large;
- informing the public via publications issued by the Foundation itself or proposed to others;
- devising and implementing further or continuing education programmes for those who work in this area;
- preparing relevant literature, e.g. of a socio-educational and psychology-related nature which could be made available to the institutions dealing with these issues in the form of useful recommendations;
- encouraging national and international exchanges of information, e.g. by means of conferences;
- mediating between the various bodies dealing with these questions and, if necessary, between individuals and counselling centres;
- providing advice to individuals and private counselling centres.

5.5.5.2 Introduction of a legal regime on the provision of public funds for private counselling and information centres

In 1992, the Federal Administrative Court (BVerwG) took a decision regarding the legality of public funding for registered associations which take a critical stance vis-à-vis the aims and activities of new religious and ideological communities and psychogroups.

In one case, the issue in litigation was the provision of public funds by the Federal Republic of Germany to an umbrella organisation, which included both

individuals and associations based in Germany and Austria, dealing with problems associated with so-called new religious movements (Federal Administrative Court, judgement of 27 March 1992 7 C 21.90, in: “*Entscheidungen des Bundesverwaltungsgerichts*” (Judgements of the Federal Administrative Court) – BVerwGE – Vol. 90, p. 112 ff.). A second case had to do with the provision of public fund by a municipality to an association involved in youth welfare services which, *inter alia*, provided information, advice and help to individuals personally affected by “destructive cults” (Federal Administrative Court, judgement of 27 March 1992 7 C 28.90). In both cases, actions had been brought against the funding by registered associations which had been affected by the activities of the association which had received the funds and which had been summoned to appear in court.

In both cases, the Federal Administrative Court acknowledged that the plaintiffs were entitled to protection under Article 4 of the Constitution.

In the first case, the Federal Administrative Court found that by providing funds to the summoned association, the defendant had wilfully interfered with the basic rights of the plaintiff. According to the summoned association’s own statutes, its aim was to combat “religious and ideological abuses” ascribed to new religious movements and to inform the public about them. This was the aim which the public funds were intended to promote.

The Court stated that the deliberate intervention in the plaintiff’s basic rights (which was created by the provision of public funds to the summoned association) required proper authorisation on the part of the defendant. Unlike a situation where the Government makes statements of its own, the German Federal Government’s power to perform public relations activities could not be interpreted as proper authorisation for the provision of public funds. Instead, this power was an expression of its function as a public governing body and represented authority to intervene derived directly from the Constitution. On the other hand, the use of federal budget resources to provide funds to a private association represented a (genuine) administrative act on the part of the Federal Government. In addition, even when the government itself wanted to warn the public with regard to the activities of certain religious and ideological communities, the government was obliged to exercise restraint and maintain neutrality in the interest of the parties whose fundamental rights were affected. The government was not allowed to discharge these legal obligations by funding an association which could invoke the basic right to freedom of expression in order to make utterances verging on the defamatory. The duty thereby imposed upon government to maintain strict neutrality in the case of funding measures of the kind discussed above and to avoid any arbitrary or unreasonable curtailment of basic rights enshrined in Art. 4 of the German Constitution in the mutual relationship of parties enjoying such basic rights also imposed the requirement on government to obtain separate authorisation for such funding. (BVerwGE, Vol. 90, p. 112 ff., p. 124).

The Court came to the conclusion that German Federal Government did not have such authorisation, and that, hence, it did not have the right to provide funds to the summoned association either as an institution or for projects in connection with the plaintiff.

The Federal Administrative Court followed a similar line in the second case. Providing funds to the summoned association affected the plaintiff's basic right to exercise its faith without interference. As its past publications and activities had shown and in line with its statutes, the summoned association had made critical and even deprecating comments about the plaintiff, and the defendant had supported the association financially in these activities whilst being fully conversant with its aims. The decision to provide funding had been based on the content and the aims pursued by the association in its activities. In order to provide such funds, the defendant needed proper legal authorisation in the form of an Act. The very fact that such authorisation did not exist was sufficient to make provision of funds provided to the association illegal.

The German Federal Government published a written statement with regard to the implications of these decisions.

In a letter sent to the Enquete Commission on "So-called Sects and Psychogroups" on 9 October 1997, Claudia Nolte, MP, the Federal Minister of Family Affairs, Senior Citizens, Women and Youth Affairs, announced that the German Federal Government had discontinued its institutional funding of the association summoned in case 7 C 21.90 by means of a notice issued on 16 July 1992.

Furthermore, against the background of the judgements outlined above, the Ministry had prepared a bill intended to provide the legal authorisation for funding stipulated by the Federal Administrative Court. The intention was to add a third paragraph to Section 14 of the Social Code VIII (SGB VIII; Welfare Services for Children and Adolescents). The new paragraph would read as follows:

"Services for the protection of the welfare of children and adolescents provided within the educational environment shall also include measures designed to inform and educate children and adolescents about the activities of groups which may pose a threat to young people (youth sects and psychogroups)."

However, these efforts aimed at creating proper legal authorisation for the provision of public funds to private information and counselling centres failed to find acceptance during the stage of interdepartmental co-ordination because of substantial constitutional doubts. According to the letter written by the Federal Minister, it is generally impossible for constitutional reasons to create the kind of legal basis deemed necessary by the Federal Administrative Court in its judgement.

The Enquete Commission has thoroughly examined this question of public funding for information and counselling centres and also raised the issue with the constitutional law experts at the hearing held on 12 December 1996.³²¹⁾ The

³²¹⁾ Cf. description of the hearing in the Interim Report of the Commission, *Bundestag Doc.* 13/8170, p. 17.

experts emphasised that the requirement of a legal basis for the provision of public funds was linked to the question of the indirect latent intervention constituted by the funding. It could be inferred, for instance, from the Federal Administrative Court judgement that the mere collection of information by the funded association did not lead to an intervention in fundamental rights. Except for the view which was put forward during the hearing (but which is at variance with the Federal Constitutional Court's case law) that Art 140 of the Constitution, in conjunction with Art. 136 (1) of the Constitution of the Weimar Republic, represent a legal reservation for the freedom of religious beliefs, no objections were raised on constitutional grounds against the introduction of a statutory provision with regard to the funding of private information and counselling centres, providing that such funding was necessary to safeguard the legal interests protected under Art. 2 (2) of the German Constitution.

Generally speaking, even provisions which constitute interventions in the freedom of religious and ideological belief, which according to the prevailing view are unreservedly vouchsafed, are not precluded if they are needed to protect the legal interests mentioned above. In this context, has pointed out that according to the Federal Administrative Court's own case law, it is permissible to intervene in unconditional basic rights insofar as this is necessary in order to protect those legal interests which are enshrined in the German Constitution itself and entrusted to the care of Government. According to *Herzog*, it is for this reason that Government is obliged to intervene to protect life and limb not only in the case of ritual murder but also in the event of exorcism involving bodily harm or unlawful detention.³²²⁾

According to information in the possession of the Enquete Commission, the possibility of physical force being used within new religious and ideological communities and psychogroups cannot be precluded. Moreover, as the Commission's Interim Report explains, instances have come to light during hearings on the situation of children and adolescents in new religious and ideological communities and psychogroups of physical force being used against children (corporal punishment, enforced meditation, and sexual exploitation). Evidence was also produced at the hearings on the situation of adults in new religious and ideological communities and psychogroups of possible unlawful detention. In addition, there were reports on meditation techniques which, whilst potentially beneficial, could also have a very harmful effect on certain individuals if used improperly. Furthermore, cases in which members of new religious and ideological communities or psychogroups had attempted – in some cases successfully – to commit mass suicide have attracted much public attention.

Against this background, the Commission does not rule out the possibility of finding a legal construct which would allow government to provide funds to private counselling and information centres, provided they supply objective infor-

³²²⁾ Cf. *Herzog*, R., in Maunz-Dürig, "Kommentar zum Grundgesetz", as of June 1996, Art. 4 (112).

mation to the general public or to individuals regarding potential dangers involved in joining certain groups and the possibilities for leaving them, bearing in mind also the individual's constitutionally guaranteed freedom of religious and ideological beliefs (cf. the recommendation for action in Chapter 6.2.2.2).

5.5.5.3 Act on Commercial Life-counselling Services

The last 20 years has witnessed the rise in the Federal Republic of Germany of a "psychomarket", which has become increasingly bewildering as it has continued to expand. According to the Enquete Commission's findings, this market is now able to offer around a thousand different approaches, methods, techniques and procedures. They are designed to heal mental or psychosomatic disorders, help the individual manage a life crisis or a change in circumstances, improve his mental faculties or increase his self-assertiveness, ability to cope with conflicts or self-esteem. Also available on the market are personality training seminars, which are much appreciated by companies for their personnel development programmes. The term which is now commonly used to describe such services is "life-counselling".

The providers of such services come from a wide variety of backgrounds. In addition to the countless individual suppliers, the market is host to esoteric groups, faith healing communities and neo-revelationist groups offering new experiences and healing, exotic and/or foreign religious communities also offering new experiences, meditation and healing, and so-called "psychogroups" offering personality development services and what are known as "success courses". The range of methods – or amalgams of different methods – on offer is equally bewildering. According to the information obtained by the Enquete Commission, which has had a study made of the alternative self-help market, providers work with combinations of diverse methods, which in most cases are taken from a variety of fields. There are numerous body techniques, consciousness-altering procedures and creative methods, as well as esoteric healing or interpretation methods. In parallel, certain relatively clearly-defined methods and schools also exist. The number of methods is growing all the time. No matter whether they focus on the content or the financial aspects, it is impossible for consumers to navigate their way through this complex market.

Likewise, there has recently been a rise in the volume of complaints from consumers about negative personality changes, damage to health and overcharging. In part, this has to do with lack of transparency in supply, which, if it existed, would give the consumer an opportunity to find out about the provider's qualifications, the methods used, the duration of the course and the financial commitment involved prior to signing a contract with a commercial provider of services. The creation of transparency in the market cannot and should not lead to the market's disintegration, since the market is merely the reflection of society's need for such self-help programmes and, given the ever-growing demand, the market fulfils a function within society. Nevertheless, the individual

consumer needs protective rules which put him/her in a position to understand the consequences before signing a contract and taking a decision in the light of this knowledge.

Furthermore, as no study has been carried out on the typical risk profiles of the various methods and techniques, it is virtually impossible for the consumer whose interests have been harmed to make a provider of the life-counselling service liable for damage caused by malpractice. For this reason, it was necessary to remove from the bill on commercial life-counselling services a clause which had originally been included in order to make it easier for clients who have suffered damage to provide evidence in support of a claim for damages.

The Enquete Commission recommends that providers operating in the “psycho-market” should protect their clients by continually checking their services for tolerance problems and safety, including possible unwanted side-effects, by applying recognised quality assurance methods used in psychotherapy and in psychosocial practice in order to minimise potential health risks.

As the Enquete Commission is of the view that the existing law frequently fails to protect the individual effectively, it is in favour, as explained in section 6.2.3, of creating legislation to govern the provision of life-counselling services on a commercial basis.

5.5.5.4 Introduction of criminal liability for legal entities and associations of persons

Under the existing law of the Federal Republic of Germany, it is not possible to hold legal entities or associations of persons liable for criminal offences. Current criminal law is based on fault by an individual, just as the punishment presumes fault by an individual.

In the field of new religious and ideological communities and psychogroups, a problem arises when a member of a group commits a criminal act related to membership of the group and the specific duties of the member therein. For instance, in the “Narconon” drug rehabilitation centre case, a manager was held responsible for breaches of the law governing non-medical practitioners. However, the type of treatment provided by the “Narconon” centre is based on rules and methods dictated by internal instructions of the Scientology Organisation. Under German criminal law, however, sentences in such cases can only be passed against individual members, even if they have obeyed the rules of an association and if they have acted in line with the association’s doctrine.

In this instance, as in other cases where individuals were held liable for criminal offences, the personal and financial conditions of the accused were taken into due consideration, as is permitted by law, in assessing the punishment. In some cases, the fines set had to be commensurate with an individual’s very low personal income, even though the offence in question was committed on behalf of

– or at least in the interest of – what was perhaps an internationally operating and economically strong organisation.

Moreover, because of this legal situation, it has been possible for the organisations in question to argue in public that the criminal accusations were not directed against the organisation itself, but at individuals who unfortunately failed in their duty. This was the line of argument used, for example, when a public prosecutor searched premises belonging to the Scientology Organisation in Munich, *inter alia*, because of suspected breaches of the law governing non-medical practitioners.

This brief review shows that the question of the criminal liability of associations of persons does have some relevance to the problems associated with new religious and ideological communities and psychogroups.

The introduction of criminal liability for legal entities and associations of persons was the subject of both a conference of Germany's ministers of justice held in the summer of 1997, and an international symposium organised by the Max Planck Institute of Foreign and International Criminal Law in Freiburg in early May 1998.

The Ministry of Justice and European Affairs of the State of Hesse has also tabled a draft on this subject. In a letter dated 18 November 1997, the Federal Minister of Justice announced that his Ministry would be examining the issues from the perspective of comparative law and European law. Furthermore, the Federal Minister of Justice said that the question would be on the agenda of the Commission for a reform of the system of criminal law sanctions.³²³) The German Federal Government has yet to give its reply to the written question submitted by the SPD's parliamentary group on these issues (*Bundestag* Doc. 13/9682).

Although the discussion of this question to date has concentrated on the area of white-collar crime, there are nevertheless parallels with the work of the Enquete Commission. When dealing with new religious and ideological communities and psychogroups, situations may arise in which an individual gets into conflict with criminal law by following the doctrine and the practices of his group. Then again, it is possible to envisage a set of circumstances, such as prevail in business life, in which there is collusion between a large number of individuals and where, in terms of criminal law implications, it is not possible to establish the personal liability of the perpetrators with the degree of certainty required for a reliable conviction.

³²³) In addition, under the terms of the Council Act of 19 June 1997 on the preparation of a second protocol to the Convention on the Protection of the Financial Interests of the European Communities, the Member States of the European Community are required, where necessary, to introduce criminal liability for legal entities in connection with certain criminal offences (cf. EC Official Journal No. 97/C 221/02). Articles 3 and 4 of the second Protocol require the Member States to take the necessary steps to ensure that legal entities can be held liable particularly in cases of fraud, bribery and money laundering.

Consequently, the Enquete Commission advocates continued discussion and study in order to find an appropriate solution to the question of criminal liability of legal entities and associations of persons (see Chapter 6.2.2.4).

5.5.5.5 Making the organisation of so-called pyramid games a separate criminal offence

While it is now clear – owing to the Federal Court of Justice’s judgement of 22 October 1997 (5 StR 223/97)³²⁴⁾ – that the organisation of so-called pyramid games (cf. Chapter 5.3) is a prohibited method of progressively recruiting customers (Section 6c of the Fair Trade Act) and thus a punishable offence, it would be advisable to follow the Austrian example and to make the organisation of pyramid or chain-letter games a separate offence.

The initiation and organisation of such gambling, based on the unfair use of behavioural psychology techniques to influence people and induce them to participate has developed into a serious problem.³²⁵⁾ The damage caused by the initiation and organisation of such games runs into millions, and it is not uncommon for participants to wind up ruined.

It is almost by chance that Section 6c of the German Fair Trade Act embraces pyramid games, which it construes merely as a particular case of progressive customer recruitment with the intent of selling goods and services. For this reason, there was also some controversy until the Federal Court of Justice judgement with regard to the question as to whether the organisation of pyramid games fell within the scope of Section 6c of the German Fair Trade Act at all. In its current version, Section 6c does not issue any clear warning. It takes a legal expert to know that pyramid games fall within its scope.

Moreover, only non-merchants are currently protected by Section 6c of the German Fair Trade Act. Distinguishing between merchants and non-merchants in connection with the organisation of pyramid games does not seem to be justified. Participation in a pyramid game is not likely to be less pernicious to merchants than to non-merchants.

For purposes of prevention, the law in its description of the offences should distinguish between the various types of participation, i.e. initiation, recruitment for, or other encouragement of, the game. Finally, the threatened punishment should vary, depending on the severity of the damage caused. System initiators who may win millions usually invest much more criminal energy than participants who have brought in other players at a lower level. The punishment threatened under Section 6c of the German Fair Trade Act does not take this into consideration at present. It should also be examined whether or not the new offence should be included in the German Penal Code.

³²⁴⁾ NWJ 1998 p. 390 ff.

³²⁵⁾ Cf. Willingmann, NJW 1997, p. 2932.

6 Opinion and recommendations for action

6.1 Opinion of the Enquete Commission on the general societal phenomenon of new religious and ideological communities and psychogroups³²⁶⁾

During the two years of its work (from May 1996 to May 1998), the German *Bundestag*'s Enquete Commission on "So-called Sects and Psychogroups" conducted the most intensive analysis – in both quantitative and qualitative terms – ever performed in German-language countries with regard to the phenomenon of new religious and ideological communities and psychogroups. This analysis concentrated on the new religious and ideological communities and psychogroups (i.e. the organised, firmly institutionalised part of the phenomenon) and on the often informal environment which necessarily had to be included (i.e. the so-called psychomarket, the life-counselling market and services available, mixed forms between groups with (allegedly) religious and ideological objectives and commercial enterprises, and finally pyramid selling operations. The analysis was primarily focused on the risks and conflicts occurring in this context. The Commission wanted to identify these risks and conflicts in order to realistically assess the risk potential and initiate measures providing information and prevention, as well as protection and support.

Many of the Enquete Commission's findings are based on earlier studies and reports published by governmental agencies (reports submitted by the German Federal Government and by the state-level governments) and groups in society (Churches, trade unions, etc.) and are seen as a continuation of these efforts. Since the approach adopted by the Enquete Commission was focused on problems and conflicts, the Commission did not compile a list of the groups involved.

The Commission's findings can be briefly summarised as follows: The phenomenon of new religious and ideological communities and psychogroups, which in terms of the number of people involved represents a minority in society, is associated with a conflict potential which far exceeds its quantitative dimension. This is primarily due to the quality – i.e. the creation, scope, objectives, and consequences – of the commitment and the resulting impact on the individuals' lives. In addition, there are some groups with a large potential for triggering political conflicts.

What can be said at present with a high degree of certainty is this:

The personal conflicts resulting from such commitments and obligations for the individual and his or her immediate social environment are clearly predominant.

³²⁶⁾ Cf. the minority opinion of the members of the working group of the SPD's parliamentary group in the Enquete Commission on "So-called Sects and Psychogroups" Ursula Caberta y Diaz, Alfred Hartenbach, MP, Dr. habil. Hansjörg Hemminger, Renate Rennebach MP, Gisela Schröter MP, Dr. Bernd Steinmetz, Prof. Dr. Hartmut Zinser, p. 301.

Such conflicts affect marriage and family life, the relationship between parents and children, physical and mental health, financial obligations, etc. The conflicts arising in this context as well as their implications and consequences also involve legal aspects, in rare cases even aspects of criminal law. Such commitments or ties in the field of new religious and ideological communities and psychogroups including their entire environment usually do not develop unilaterally; i.e. they do not come about as a result of potentially manipulative recruitment and conversion strategies of groups and their protagonists. There are individuals who seek out such groups to find answers to problems of their personal and social life, and to questions about the meaning of life; and for this reason, they are willing to accept more or less intensive bonds and obligations. There are more people, however, who accept a commitment that is limited in time, while only a minority is willing to commit themselves permanently. This can involve considerable problems and risks; however, the (potential) gains for the individual and for society must also be borne in mind.

A key finding of the Enquete Commission's work in this context is that there is no typical "biography of sect members". Instead, it is necessary to consider the entire biography of an individual in order to understand why he or she turned to new religious and ideological communities and psychogroups. The Commission has found that when individuals join such communities, they try to come to grips with a biographical problem, with varying degrees of success. A key term in this context is the "fit".³²⁷⁾ Greater attention should be paid to such biographically relevant aspects in the public debate.

Children and adolescents as members of new religious and ideological communities and psychogroups are a separate subject. Without ignoring the problems of a close, rigid and final socialisation, one has to avoid sweeping statements. In addition, parents are entitled to choose religious education for their children; one-sided modern concepts of education and life should certainly not be given preference over traditionally motivated concepts.³²⁸⁾ The legal instruments currently available are sufficient to intervene when children are exposed to a real psychological or physical jeopardy. However, these instruments must of course become better known and be more effectively applied.³²⁹⁾

The undeniable religious and ideological motives and implications of membership in new religious and ideological communities and psychogroups impose limits on the scope for governmental action. Pursuant to Art. 4 of the German Constitution, government is obliged to be neutral and tolerant in respecting the decisions of individuals with regard to their religious beliefs. However, government is obliged to act whenever basic rights of citizens are violated. In addition, government is entitled to, and should, take preventive action by informing the public about possible risks.³³⁰⁾

³²⁷⁾ Cf. Chapter 3.6 as well as the Annex.

³²⁸⁾ Cf. Chapter 5.2.

³²⁹⁾ Cf. Chapter 5.5.4.3.

³³⁰⁾ Cf. Chapters 2 and 4.1.

Even if individuals accept ties or commitments that are limited in terms of time or scope (e.g. offers made in the “psychomarket” and life-counselling services), this may have far-reaching consequences of a psychological or financial nature, for instance. Without generalising, it can be said that at least some of the methods and therapies practised in so-called “psychogroups” or available in the psychomarket are major interventions in the human psyche, so that people may suffer psychological or physical harm, either because of problems involved in the methods and therapies themselves or because of improper application of these methods and therapies.

The assumption of a “conversion by sects” using their own “psychotechnics” such as “brain/soul washing” or “psychomutation” must be refuted in favour of more broadly-based models.³³¹⁾ Nevertheless, membership in new religious and ideological communities and psychogroups may lead to massive psychosocial dependency, especially when this is promoted by the practice of certain methods and forms of treatment. While the individual’s own activity and self-determination are not obliterated under such circumstances, they can be seriously curtailed. Unstable, vulnerable and premorbid individuals may be at particular risk in this situation.

Deliberate criminal acts and behaviour can be observed, and such acts and behaviour are prompted in some groups by substantial tensions between the inside and the outside world which lead to a potential or latent propensity for crime; however, this aspect plays a secondary role with regard to the conflicts mentioned above that relate to the individual and his or her immediate social environment.

Only some of the new religious and ideological communities and psychogroups are highly prone to conflict. In this context, the dynamics of a group’s development must also be taken into account, i.e. the question of whether a group is opening itself to the outside world, becoming a part of everyday life, etc. or whether it is closing itself off, becoming increasingly radical, etc. During its hearings of the groups concerned, the Enquete Commission found out that some of the groups which were regularly referred to as highly problematic in the past had at least initiated and launched processes that were leading to change and an opening. One has to wait and see how these groups will continue to develop. At any rate, the Commission would like to warn against perpetuating group classifications that have once been established. However, it may also happen that less conflict-prone groups become involved in major conflicts which have severe ramifications for the lives of their members, e.g. in the course of religious/ideological conversion processes and the resulting changes in the lives of individuals and communities.

According to the German *Bundestag*’s decision to establish the Enquete Commission, the latter was asked specifically to study group structures, activities and objectives. As far as this is concerned, one can say that the new religious

³³¹⁾ Cf. Chapter 3.6, as well as the Annex and especially Chapter 5.1.

and ideological communities and psychogroups are not much different from major religions, religious groups and ideological communities or from other groups in society in this respect. The claim to impose binding rules on the individual's life-style (which is particularly common among religious and ideological groups) and the associated emphasis on authority, tradition, etc. may involve a latent conflict-proneness, which is not problematic in itself. However, an accumulation of such characteristics – e.g. a substantial differential in terms of authority, substantial tensions between the inside and the outside world (“isolation” and “insulation”), “dissident views of the world” and “deviant life-styles”, the development of totalising anticultures and subcultures – can considerably aggravate conflicts. This applies to the activities and objectives pursued by groups if there is a major difference between alleged objectives and real, possibly concealed objectives.³³²⁾ Groups which are particularly conflict-prone in that sense, i.e. groups with a quasi notorious propensity to get involved in conflicts can give rise to governmental warnings and preventive action. However, it is indispensable to have recourse to specific concrete cases. Such cases may call for governmental intervention.

The phenomenon of new religious and ideological communities and psychogroups including their formal and informal social environment and the conflicts observed in connection with these groups are a reflection – and in some cases a highly concentrated one – of cultural changes in society with regard to values, convictions, traditions, religious/ideological affiliations, options and proposals. These changes, which are a result of modernisation and some of which are occurring at an ever faster pace, create considerable problems of orientation for individuals and groups. This poses a considerable challenge for all relevant groups in society (the Churches and religious communities, the trade unions, industrial associations, and the political parties) to provide orientation in the intellectual and political debate.³³³⁾

From the perspective of society as a whole, the new religious and ideological communities and psychogroups do not pose a threat for government or society, or for any of the relevant domains in society. However, the activities of some radical organisations suggest that it is advisable for government to remain vigilant in order to intervene, if this proves to be necessary.

This applies in particular to what is offered in the psychomarket and the life-counselling market, as well as personality development seminars, management consulting, pyramid selling operations and multi-level marketing companies, with so-called “snowball systems” as their most extreme form. Sometimes it may be difficult to distinguish between new religious and ideological communities and psychogroups on the one hand, and training or direct selling companies on the other.

³³²⁾ Cf. Chapter 3.3.

³³³⁾ Cf. Chapter 3.1.

In many respects, the Scientology Organisation plays a special role. There are some aspects of this organisation which match some of the elements just mentioned; i.e. these are cases where the Scientology Organisation is a particularly blatant example of attributes which can also be found elsewhere. On the other hand, however, the Scientology Organisation is so different from any of the other groups that it seems justified – at least to some extent – to put the Scientology Organisation into a separate category. In that respect, the aspects found in the Scientology Organisation cannot be applied to other groups. As far as the Enquete Commission is concerned, the Scientology Organisation is not a religious group.

Based on its assessment of the current situation and considering the legal aspects discussed primarily in the previous chapter, the Enquete Commission on “So-called Sects and Psychogroups” would like to submit the recommendations for action listed below.

6.2 Recommendations for action

6.2.1 Constitutional appraisal

6.2.1.1 Article 4 of the German Constitution

The Enquete Commission recommends that the German *Bundestag* should not amend or supplement Art. 4 of the German Constitution.

6.2.1.2 Rights of corporate bodies³³⁴⁾

The Enquete Commission recommends that the German *Bundestag* should not amend or supplement Art. 140 of the German Constitution / Art. 137 (5) of the Weimar Constitution.

6.2.2 New legal provisions to be adopted in the future

6.2.2.1 Act Establishing a Foundation

The Enquete Commission recommends that the 14th German *Bundestag* should establish a foundation under public law to be entrusted with the tasks listed in 5.5.5.1 above and to be financed jointly by the German Federal Government and by Germany’s state-level governments.

³³⁴⁾ Cf. minority opinion of the working group of the SPD’s parliamentary group in the Enquete Commission on “So-called Sects and Psychogroups”, p. 301.

6.2.2.2 Introduction of a legal regime for the provision of public funds for private counselling and information centres

Based on the findings (described in Chapter 5.5.5.2) of its hearing of constitutional experts, the Commission does not share the German Federal Government's view that the introduction of a legal regime for the provision of public funds for private counselling and information centres is not compatible with the principles laid down in the German Constitution. Basic rights may create a direct obligation for government to ensure that a legally protected right – in particular an individual's life and physical integrity – is not violated unlawfully by third parties, including private individuals.³³⁵⁾

For this reason, the Commission calls upon the 14th German *Bundestag* to adopt a legal regime which will explicitly introduce and permit direct public funding of private institutions.

6.2.2.3 Act Governing Commercial Life-counselling Services

The Enquete Commission recommends that during its next legislative period the German *Bundestag* should begin deliberations on, and adopt, a federal act governing contracts in the field of commercial life-counselling services, based on the bill introduced by the *Bundesrat* (the second chamber of the German parliament) (*Bundestag* Doc. 13/9717).

6.2.2.4 Introduction of responsibility under criminal law for legal entities and associations of persons

The Enquete Commission has found that legal policy debate on this issue is still in its infancy. The discussion draft presented (see Chapter 5.5.5.4) and the German Federal Government's pending answer to the written question submitted by the parliamentary group of the SPD (*Bundestag* Doc. 13/9682) will probably call for in-depth deliberations.

For this reason, the Commission recommends that the 14th German *Bundestag* should begin deliberations on the introduction of a legislation on responsibility under criminal law for legal entities and associations of persons; such legislation should make it possible to punish, reprimand, or impose other sanctions on, criminal enterprises, associations or other groups of persons.

³³⁵⁾ Cf. Hesse, K.: Bedeutung der Grundrechte, in: Benda, E./ Maihofer, W./Vogel, H.-J. (ed.), *Handbuch des Verfassungsrechts der Bundesrepublik Deutschland*, 2nd edition, Berlin and elsewhere., 1994, Section 5, para. 50.

6.2.2.5 Making the organisation of so-called pyramid games a separate criminal offence

In view of the increasing use of pyramid games which do malicious harm to the public (see Chapter 5.5.5.5), the Enquete Commission recommends that the 14th German *Bundestag* should make the initiation of, and participation in, such games a separate criminal offence, notwithstanding Section 6c of the German Fair Trade Act (*Gesetz gegen den unlauteren Wettbewerb* – UWG).

6.2.2.6 Including pyramid selling in the scope of application of legislation on financial and insurance services intermediaries

The Enquete Commission suggests that during the upcoming deliberations on the *Bundesrat*'s "Bill on the Exercise of the Profession of Financial and Insurance Services Intermediaries, and on the Establishment of an Advisory Board Attached to the *Bundesaufsichtsamt für das Kreditwesen* (German Federal Banking Supervisory Office)" (*Bundestag* Doc. No. 13/9421 of 29 Jan. 1998), the 14th German *Bundestag* should examine whether the scope of application of this legislation can be extended to include pyramid selling and multi-level marketing systems. As described above (see Chapter 5.3), there is not only a "grey capital market" but there is also a confusing services market which is not only limited to financial services. The purpose of this modification in the proposed legislation would be to reduce the legal uncertainty that currently prevails for the individuals affected.

6.2.3 Applying, and/or extending the scope of, legislation currently in force

6.2.3.1 Activities of the Federal Administrative Office in the field of "new religious and ideological communities and psychogroups"

The Enquete Commission recommends that the German Federal Government should assign the following responsibilities to the Federal Administrative Office by adding a separate provision in the Act on the Establishment of the Federal Administrative Office (BVAG – *Gesetz über die Einrichtung des Bundesverwaltungsamtes*), in line with the current systematic approach already adopted:

The Federal Administrative Office shall act as an information and documentation centre with the name of "new religious and ideological communities and psychogroups".

More specifically, the Federal Administrative Office shall have the following responsibilities:

1. To collect and evaluate materials which are important for the development in the field of “new religious and ideological communities and psychogroups”, including organisations or associations which are linked with such communities or groups, either legally and commercially or in terms of their religious and ideological objectives;
2. To provide information in the field of “new religious and ideological communities and psychogroups” to offices of the German Federal Government and of the state-level governments, as well as to all information and counselling centres of public corporations and institutions or (private) centres devoted to caring for individuals affected by “new religious and ideological communities and psychogroups”;
3. To publish information leaflets and other materials to educate the public at large and professionals in the field as to the hazards prevailing in the field of “new religious and ideological communities and psychogroups”.

6.2.3.2 Association and tax law

The legal uncertainty prevailing in the field of association law, as described in Chapter 5.5.4.1, calls for the adoption of more precise provisions.

For this reason, the Enquete Commission recommends that the 14th German *Bundestag* should amend the current association law in order to ensure that the activities of religious communities shall not be unconstitutional. In this context, it will have to be examined whether in future it will be possible to dispense with the exemption of religious communities from the scope of application of the Associations Act (Section 2 (2) clause 3 of the Associations Act).

In addition, care must be taken to ensure that only associations which show a modicum of loyalty vis-à-vis the German Constitution and the German legal system will enjoy benefits such as the recognition of their non-profit status for tax purposes.

6.2.3.3 Act on Non-medical Practitioners

The Enquete Commission recommends that the 14th German *Bundestag* should clearly define what the “art of healing” is by including the following wording in the Act on Non-medical Practitioners:

Section 1(2) of the Act on Non-medical Practitioners: “The art of healing, as defined in this law, shall be any professional or business activity aimed at identifying, healing or relieving diseases, ailments or physical injuries of people, also when such activity is exercised by individuals employed by third parties. In this context, it shall be sufficient if the impression is created in the minds of the treated individuals that the activity is aimed at healing or at least relieving the ailments mentioned above.”

The Enquete Commission suggests that the German *Bundestag* should examine the possibility of introducing “healing fraud” as a criminal offence in the fraud provisions of the German Penal Code. In order to clarify existing rules, a provision should be added to cover those cases in which patients are deceived with regard to the effectiveness of treatment methods.

In addition, the German *Bundestag* should examine whether it is possible to define uniform licensing requirements for non-medical practitioners. Currently, there is no sufficient requirement for non-medical practitioners to prove that they are properly qualified when they apply for a licence.

6.2.3.4 Legal provisions on the relationship between parents and children

a. Act on Religious Education of Children and legal provisions regarding the relationship between parents and children in the German Civil Code

The Enquete Commission recommends that only a single new provision should be added to the legal provisions on the relationship between parents and children currently in effect: In the framework of the provisions regarding personal custody, as laid down in the German Civil Code, the German *Bundestag* should add a provision which – in line with the wording of Section 1631(2) of the German Civil Code (legal restrictions imposed on educational measures in the framework of provisions governing personal custody) – should prohibit not only humiliating practices and methods in connection with religious activities but also practices and methods which have considerable adverse effects on the child’s health or psychological well-being.

Aside from this, there is no need to adopt a newly codified act because, pursuant to Articles 123 (1) and 125 (1) of the German Constitution, the Act on Religious Education of Children continues to be in effect as federal law. In conceptual, substantive and systematic terms, the Act on Religious Education of Children is in principle connected with personal custody law as laid down in Sections 1626ff. of the German Civil Code.

As a result, the only action required is to remedy the shortcomings with regard to the application of the Act on Religious Education of Children. To this end, the Enquete Commission feels that it would be sufficient if relevant specialist publishers of legal texts gave the Act on Religious Education of Children a more conspicuous position in commonly used compilations of laws.

b. Harmonisation at European level of legal provisions regarding the relationship between parents and children

The Enquete Commission recommends that the 14th German *Bundestag* should authorise the German Federal Government to initiate the development of directives at European level designed to harmonise legal provisions regarding the relationship between parents and children, in particular the approximation of custody rules at European level.

6.2.3.5 Usury

- a. The Enquete Commission recommends that the 14th German *Bundestag* should amend Section 291 of the German Penal Code as follows in order to clarify the already identified cases of exploitation of the special situation of affected individuals in new religious and ideological communities and psychogroups:

“Anyone who exploits someone else’s economic, psychological or other predicament, or lack of judgement, or substantial weakness of will, by ...”

This will not extend the scope of the criminal offence defined in Section 291 of the German Penal Code.

- b. In connection with activities of new religious and ideological communities and psychogroups, there may be usurious transactions during which the psychological state of affected individuals is exploited, resulting in material damage. The attention of prosecuting authorities should be drawn to the fact that they do not have to wait for such offences to be reported by persons who have suffered damage in order to institute investigations. Instead, prosecuting authorities are obliged to investigate ex officio if other sources such as press reports or information provided by counselling centres have already supplied reasonable evidence of criminal offences defined in Section 291 of the German Penal Code.
- c. By means of systematic education and information activities, the prosecuting authorities should be better informed about the situation of individuals in new religious and ideological communities and psychogroups so that they are able to make proper assessments in a given case (especially with regard to psychological interconnections).

6.2.3.6 Act on Psychotherapists

The Enquete Commission welcomes the fact that, after 20 years of deliberations, it has been possible to pass the Act on Psychotherapists, both in the German *Bundestag* and in the *Bundesrat* (i.e. the second chamber of the German parliament). The Enquete Commission calls upon the legislator to ensure that the intentions of the legislator will not be thwarted by means of implementing regulations adopted by licensing authorities and committees.

In addition, it is necessary to ensure the availability of sufficient psychotherapeutic care, based on scientifically recognised methods, in particular for the treatment of psychomarket victims, individuals who suffered damage from esoterics, or who have left new religious and ideological communities and psychogroups. Furthermore, it should be ensured that there is a variety of methods using psychotherapeutic approaches which have stood up to scrutiny in theory and practice.

6.2.4 Observation of the Scientology Organisation by Germany's offices for the protection of the Constitution

In its Interim Report, the Enquete Commission already pointed out that it welcomed the observation of the Scientology Organisation by Germany's Federal Office for the Protection of the Constitution and by the relevant state-level offices. This observation should be continued.

6.2.5 International co-operation

The Enquete Commission calls upon the German Federal Government to work towards an intensification of the international exchange of information at governmental and ministerial level with regard to problems associated with new religious and ideological communities and psychogroups. At European level, it is also recommendable to examine whether – in co-operation with the bodies of the European Union – major activities such as the evaluation of cross-border activities or governmental information work can be better co-ordinated by establishing a European information centre. As far as criminal activities are concerned, information should be exchanged via Europol.

The Enquete Commission calls upon the 14th German *Bundestag* to discuss the problems associated with new religious and ideological communities and psychogroups in the framework of its working contacts with parliamentary bodies of other countries and international organisations in order to achieve a better exchange of information and views at this level as well.

6.2.6 A common approach towards new religious and ideological communities and psychogroups in the European Union

The Enquete Commission calls upon the German Federal Government to work towards the adoption of a common approach in the European Union towards the phenomenon of new religious and ideological communities and psychogroups.

6.2.7 Occultism/Satanism

The Enquete Commission feels that the laws currently in force are sufficient to deal with problems in connection with occultism and Satanism (e.g. bodily injury, duress, protection of children and young persons); for this reason, the Enquete Commission believes that there is no need for action in the field of legislation. However, the laws in effect should be applied more consistently.

In addition, the Enquete Commission makes the following recommendations with regard to the non-commercial sector of occultism:

- Meetings should be organised to inform teachers, educators, and multiplying agents in schools, youth centres, counselling centres, as well as youth workers, the police, etc. about the rapidly changing forms of occultism in the youth culture and among adults.
- Recreational centres should be established for young people where they find interesting leisure pursuits within easy reach.
- Prosecuting authorities should establish a department which will primarily be in charge of prosecuting crimes with an occult background, and officers working in this department should receive proper training and further education.
- Germany's state-level offices of criminal investigation should continue to evaluate the information available in the field of occultism and Satanism.

The legislation currently in force in the fields of criminal law and business law (e.g. usury) also provide a sufficient basis to deal with the commercial sector of occultism. Current loopholes will be closed by the Act on Commercial Life-counselling Services.

Furthermore, the Enquete Commission makes the following recommendations:

- The public should be informed and educated about occultism. Fascination with occultism is in many cases due to wishes, fears and needs of people which could otherwise not be met. In this field, governmental action is certainly possible to a limited extent only; however, one of the challenges for government will continue to be to create conditions which will protect people against isolation, helplessness, and most importantly, unemployment.
- Research into the causes of the participation in occult practices should be systematically funded.

6.2.8 Education and continuing education

The Enquete Commission recommends that the measures specified in Chapter 4.3 should be implemented in the field of education and continuing education.

6.2.9 Funding of research

The Enquete Commission recommends that the German Research Foundation (*Deutsche Forschungsgemeinschaft* – DFG) should initiate an interdisciplinary research association to deal with the following issues:

- new religious and ideological communities,
- current psychogroups or psychocults,
- contemporary esoterics and free spiritualism.

The following disciplines should participate in this interdisciplinary research project: social sciences, cultural studies, humanities, economics, religious studies, theology, medicine, and law. The purpose of this research would be to establish or intensify basic research in the fields mentioned above.

The Enquete Commission recommends that Germany's state-level governments should bring their influence to bear on universities and other higher education institutions to ensure that the latter will pay greater attention to research into "new religious and ideological communities and psychogroups", so that they create research capacity for these issues by advertising vacancies in the departments concerned and appointing the staff needed.

Applied research (i.e. the translation of findings from basic research into practice) – like basic research – has not benefited from any systematic promotion in the past. The *Fachhochschulen* (specialised colleges of higher education) should also be addressed in this context. Particular attention should be paid to the following fields of applied research:

- the development of educational concepts for information and prevention inside and outside the school system,
- the development of psychological and social therapy concepts for the counselling and rehabilitation of affected individuals,
- the clarification of numerous legal issues which are still unresolved in practice,
- the development of sociological concepts for communicating with radical communities, for promoting their integration and defusing conflicts (conflict management),
- evaluation research into the effectiveness of conventional and unconventional therapeutic and curative treatments (see Chapter 3.5.4),
- the inclusion of the subject of "coping with life" in the academic curricula of medicine, psychology, and other professional therapeutic disciplines (see Chapter 3.5.4),
- interdisciplinary research on potential risks created by the combination of intervention-intensive, psychologically effective methods and techniques, their improper application, precarious elements of group cultures and group organisations, and vulnerable predispositions of individuals (see Chapter 5.1),
- epidemiological studies on the frequency of use of psychologically effective or consciousness-altering methods or measures and their side-effects (see Chapter 5.1.6),
- research on the social, ethical, and legal assessment of rationalised and instrumentalised character formation (see Chapter 5.1.8),
- research into the scope and growth of unscrupulous personality development and modification courses for company employees, and into the attractiveness of companies for such course organisers (see Chapter 5.1.11),

- research in the field of social sciences aimed at obtaining quantitative and qualitative findings about the effects on an organisation's climate and the exercise and safeguarding of internal control as a result of the application of social techniques, as well as personality and management training in an organisation (see Chapter 5.1.11),
- the situation of children and adolescents in new religious and ideological communities and psychogroups;³³⁶) it would be particularly important to conduct empirical scientific studies on the educational and living conditions of children and adolescents growing up in such groups and contexts (see Chapter 5.2),
- research into the phenomena of "ritual abuse" (see Chapter 5.2),
- economic studies on a variety of effects on the economy (see Chapter 5.3),
- review of foreign regimes – in terms of theory and legal practice – with regard to money laundering, financial exploitation, and the abuse of relationships of dependence (see Chapter 5.4),
- interdisciplinary research into the question of whether there are typical risk profiles for the application of psychologically effective methods and techniques as a result of which it is possible to ascribe to a given practitioner the causes of injuries to health suffered while undergoing therapy and receiving life-counselling; and whether a client who has suffered damage can use such causes in a civil liability action as *prima facie* evidence of culpable action on the part of the practitioner (see Chapter 5.5.5.3),
- interdisciplinary research in the field of human sciences to study the phenomena of so-called pyramid games in order to assess the risks associated with authoritarian pyramid selling operations and the excessive use of influencing and social techniques borrowed from behavioural psychology (see Chapter 5.5.5.5),
- research aimed at further clarifying the relevance of specific biographies and life themes with regard to the susceptibility of individuals for new religious and ideological communities and psychogroups (see Annex).

6.2.10 Transparency of the psychomarket

The Enquete Commission feels that the services available in the psychomarket should be objectively described and assessed to create transparency for the consumer. The Enquete Commission calls on the professional associations of health care professionals and on consumer protection centres, etc. to perform such assessments. They should be supported by government in such efforts.

³³⁶) A list of specific research issues in this context can be found in the Commission's Interim Report, *Bundestag* Doc. 13/8170, p. 27.

6.2.11 Conflict reduction

Since it is in the interest of government and society that conflicts between new religious and ideological communities and psychogroups on the one hand and their social environment on the other should be limited and that such conflicts should be handled in accordance with the law currently in force, the Enquete Commission recommends that one of the responsibilities of the foundation suggested in Chapter 6.2.2.1 above should be mediating between the parties to a conflict.

6.2.12 Avoiding the use of the term “sect”

Since the term “sect” is unclear and misleading, as described in Chapter 2, the Enquete Commission feels that it would be desirable to stop using the term “sect” in the context of the public debate about new religious and ideological communities and psychogroups. In future, the term “sect” should be avoided in particular in publications of public bodies, be they information brochures, court judgements, or laws.

Instead, the Commission proposes that a more differentiated terminology should be used – similar to the terms used in this Report – even if such terminology can only be of a preliminary nature in view of the need for further scientific research in this problem area.

6.2.13 Duty of the German Federal Government to submit reports

The Enquete Commission recommends that the 14th German *Bundestag* should adopt a decision obliging the German Federal Government to submit two progress reports regarding the implementation of the recommendations for action put forward in this Final Report, the first one 2 years and the second one 4 years after the adoption of this Final Report.

Minority Opinions

Minority opinion submitted by Commission members

**Dr Jürgen Eiben, Professor Dr Werner Helsper,
Dr Angelika Köster-Lossack, MP, Professor Dr Hubert Seiwert
with regard to Chapter 4.2.1 “Need for Information and
Counselling from Non-governmental Centres”.**

When analysing the relationship between self-help groups, voluntary counselling and professional counselling in the field of new religious and ideological communities and psychogroups, it is necessary to differentiate more clearly between areas of competence and responsibility. The strong points and advantages of “lay” and “self-help” groups are also problem zones for which we have to decide how to prevent the individuals concerned from being overtaxed or drawn into dynamic conflict situations and how we can prevent individuals, who seek advice and help from being instrumentalised. Not until this relationship has been established can the self-help and lay help initiatives realise and exploit the possibilities open to them without themselves running an increased risk of becoming constitutive elements in generating problems – contrary to their own intentions – or joining in conflicts unknowingly. In principle, similar risks also exist in the professional sector; extensive precautions in the form of professional self-supervision and outside appraisal are required in order to prevent or at least minimise them.

These risks are less likely to occur in the field of everyday counselling and information; they are more acute with regard to involvement in ideological conflicts and when counselling and support is offered to individuals with major problems rooted in their personal history.

If high standards of abstinence, (self) appraisal, a balance between proximity and distance and systematic “outside appraisal” are rightly demanded for professionals, there is a need to think about additional forms of stabilisation, (self) appraisal and “counselling for counsellors” for the lay and self-help sector that often represents a high level of involvement, participation and similar experience on the part of those offering their services.

This requires co-operation and mutual reference between professional and self-help groups, enabling professionals to make use of the lay and self-help organisations’ on-the-spot experience and the latter to fall back on the professionals’ competence in support and outside appraisal of their activities. In this way, lay helpers, self-help groups and professionals complement each other in a co-operative relationship.

Some of the wording of the present text (Chapter 4.2, especially the section on lay helpers) creates the impression of emphasising the strong points of self-help without discussing the problems and potential mistakes involved in such activity

and its limitations. However, such a discussion is just as necessary as the improvement and structuring of professional counselling in order to strengthen these networks of everyday support in the long term.

One-sided emphasis of the strong points of lay and self-help without similarly considered reference to the problems may have the – unintentional – effect of discrediting this field of activity or at least failing to promote it by means of critical support. For in the long term it must be in the interests of action groups initiated by the persons affected to consider the potential problem areas of their own efforts to help and advise. This is doubtless easier to achieve in co-operation with a structured and well developed professional counselling system in the field of new religious and ideological communities and psychogroups.

**Minority opinion submitted by the working group of the SPD's parliamentary group in the Enquete Commission on
"So-called Sects and Psychogroups"
with regard to Chapter 5.5.3.2 (Rights of Corporations)
and the relevant recommendation for action in Chapter 6.2.1.2.**

The Commission members Ursula Caberta y Diaz, Alfred Hartenbach, Dr habil. Hansjörg Hemminger, Angelika Mertens, Renate Rennebach, Gisela Schröter, Dr Bernd Steinmetz and Professor Dr Hartmut Zinser (working group of the SPD's parliamentary group) do not agree with Chapter 5.5.3.2 (Rights of Corporations) and the relevant recommendation for action in Chapter 6.2.1.2. In view of the future recognition of religious communities as public corporations, they consider it necessary to recommend the following review from the perspective of constitutional law:

We recommend that the German *Bundestag* should review Art. 140 of the German Constitution during the 14th legislative period in order to examine whether it is appropriate to include loyalty to the legal system and to Germany's democratic constitution as explicit criteria for the recognition of religious communities as public corporations.

Rationale:

1. According to the wording of the German Constitution (Art. 140 in conjunction with Article 137 (5) of the Weimar Constitution), a religious society must at present be granted the status of a public corporation if it "offers the guarantee of permanence on the basis of its statutes and number of members". The judgement passed by the Federal Administrative Court on 27 June 1997 (Ref.: 7 C 11/96, BVerwG NJW 1997, 2396) concerning the recognition of Jehovah's Witnesses shows that there is a need for a more precise definition of this point that should perhaps not be left to the supreme courts alone. The grounds for the judgement go beyond the wording of the Constitution by stating that there are further, unwritten conditions for recognition such as "loyalty to the legal system" (ibid., p. 2397) and "furtherance of public welfare that are tacitly assumed in the Constitution and justify support" (ibid., p. 2398). This case – with its judgements at successive stages of appeal and various discussions including those in the Enquete Commission – has shown that these "unwritten" and "tacitly assumed" principles are highly imprecise. There is a need for a review from the point of view of constitutional law to determine whether the "limits to religious freedom inherent in the Constitution" (ibid., p. 2397) have to be stated explicitly at least with regard to those religious societies that apply for the status of a public corporation.
2. In the case of religious societies, public corporations are vested with a "package of privileges" that include public authority. It is not justifiable to

grant such privileges and public authority and rights to religious societies whose doctrines and activities are not compatible with the fundamental values of the German Constitution, if only in certain substantial areas. In public law government must demand that religious societies wishing to acquire the high status of a public corporation show loyalty to the law and the Constitution and willingness to support the constitutional order. Nor must the activities of religious societies with the status of a public body “run contrary to the meaning and purpose of the desired status as a public corporation as defined by the constitutional ruling” (ibid., p. 2397). The government is not obliged to grant privileges to a religious community whose activities do not conform to the basic values of the Constitution.

3. The working group of the SPD’s parliamentary group in the Enquete Commission on “So-called Sects and Psychogroups” does not share the opinion of the majority of the Commission according to which there are prevailing judgements by the supreme courts on this matter that make it unnecessary to carry out a review of constitutional law in the manner suggested above. On the contrary: there is only the Federal Administrative Court’s decision on the community of Jehovah’s Witnesses mentioned above; we know of no other judgements by supreme courts on the problem to be considered here. The lower-level courts had come to exactly the opposite decision and were of the opinion that awarding the status of a public corporation should not be prevented by “unwritten” requirements. Nor is the problem assessed unanimously in pertinent literature. For the above reasons, those responsible for constitutional legislation are called upon to subject the requirements to be met by organisations in order to be recognised as public corporations – requirements which date back to the Constitution of the Weimar Republic – to a review based on contemporary constitutional law. This also applies to the constitutional complaint filed by Jehovah’s Witnesses, the outcome of which is entirely open, as the majority of the Commission’s members rightly stated.
4. Since Art. 137 (5) clause 1 of the Constitution of the Weimar Republic states that “religious societies ... (shall remain) public corporations if they were such in the past”, the suggested review only pertains to cases in which religious societies are now applying for public-corporation status. The traditional Churches, their legal status, their internal rules and thus the constitutional compromise of 1848, 1919 and 1949 remain unaffected. No doubt is being expressed as to the loyalty to the legal system and to the Constitution of the Churches with public-corporation status and their willingness to support the constitutional order; on the contrary, it must be said that they have made a major contribution to establishing the German Constitution and continue to do so. The suggested review merely takes account of the situation that has evolved in the course of history, which is not to be put into question by the Commission.

5. In this connection, it must also be pointed out that the suggested review does not affect the status of those religious communities that do not apply for recognition as a public corporation. However, the privilege conferred with the recognition as a public corporation is of such a quality that it must not be undermined by being generalised and granted to all communities.

Moreover, the formulation of the requirements for recognition would also be an unmistakable offer on the part of government to co-operate with religious communities.

**Minority opinion submitted by Ursula Caberta y Diaz,
Alfred Hartenbach, MP, Dr habil. Hansjörg Hemminger,
Renate Rennebach, MP, Gisela Schröter, MP, Dr Bernd Steinmetz
and Professor Dr Hartmut Zinser,
members of the working group of the SPD's
parliamentary group in the Enquete Commission on
"So-called Sects and Psychogroups", with regard to Chapter 6.1
"Opinion of the Enquete Commission on the General Societal
Phenomenon of New Religious and Ideological Communities
and Psychogroups"**

Debates on the conflicts arising from new religious and ideological communities and psychogroups have taken place numerous times and have been launched from various points of view since the 1960s. Until the early 1990s, too little significance was attached to the overall societal dimension of the phenomenon; attention was devoted primarily to the individuals affected.

Discussion of the various groups was usually based on the practices and values of such communities. It is these that give rise to the conflicts described in the Final Report of the Enquete Commission.

The first societal institutions to take note of the problem were the Protestant and Catholic Churches, but even they often failed to recognise its overall significance. To this day, the Churches still regard the appointment of experts on religious beliefs and ideologies to be an adequate means of dealing with the phenomenon. Depending on the staffing of these Church institutions and the funds available, their treatment of the phenomenon ranges from counselling for individuals to public statements, also concerning the overall societal context.

Apart from one or two reports to the parliaments of individual German states it was not until later that the government turned its attention to various groups that constituted a source of conflict. One of the main reasons why the overall social problem was recognised fairly late in Germany is that the occurrences (and related conflicts) were regarded as the fate of individuals.

It has been established that the problem of the communities with the greatest potential for conflict is a matter that concerns our society as a whole. Diversionary tactics on the part of such communities – that are often put over by the media, too – and playing-down by those not affected or inadequately informed must not be allowed to divert the discussion from the fact that since the mid-1980s various groups have not confined their activities to "enlightening" individuals with their doctrines; the groups with the greatest potential for conflict also aim to establish their values as a political platform in Germany.

In addition to the need for ongoing information activities by Church and private institutions, it must also be the task of government to differentiate clearly between the various new religious and ideological communities and psycho-

groups with regard to their doctrines and practices, quite apart from the often tragic individual fates provoked by them.

In the repeated public discussions of the citizens' disillusionment with politics currently prevailing in Germany, too little attention has been paid to the fact that many people have relied on the feasibility mechanisms that apparently exist in society in order to fulfil their personal, individual wishes. However, since the radical changes that have taken place at least since the early 1990s, many have found themselves up against their personal limits. Often they put the blame for this on the political system or the institutions on which it rests. Numerous new religious and ideological communities and psychogroups offer deceptive or fictitious solutions to the problems faced by individuals or society as a whole. Involvement in these groups is often synonymous with a withdrawal from the political system and real life.

The political discussion of withdrawal from or rejection of the established modes of behaviour of our society is too often restricted to the perceptual patterns that were valid until the early 1980s. The changes in our society have led many people to turn their backs on traditional forms and institutions and follow political, religious/ideological or other extremes instead. This may be perceived as a threat to democratic stability. It is therefore necessary to realise that values influencing individuals' activities through new religious and ideological communities and psychogroups are a form of political and social protest. In the most extreme cases such values do not coincide either with the predominantly Christian values and standards of our country or with the concepts anchored in the Constitution that have to be defended primarily by political means. In future, political discussions must give higher priority to this opposition. Otherwise we have to fear a further growth of such conflict-generating groups in the field of new religious and ideological communities and psychogroups and thus more problems affecting our society as a whole.

The Enquete Commission has investigated the most important aspects of the overall phenomenon. The resulting recommendations for action are minimum requirements that have to be urgently implemented in the short term. At the same time, it is necessary to initiate additional measures in the fields of research and politics.

**Minority opinion submitted by the Commission members
Professor Dr Ralf-Bernd Abel, Ursula Caberta y Diaz,
Dr Jürgen Keltsch and Professor Dr Hartmut Zinser with
regard to the Commission's Final Report**

The Final Report has to be supplemented because a major segment of the services which are nowadays used by clients in the psychomarket has not been adequately discussed. This is the segment of "mind machines and new learning".

The expert L. Berger¹⁾ describes mind machines as "electronic aids to meditation" that influence human consciousness by means of light, sound and colour, with magnetic fields and bioelectric pulses. According to Berger, meditation and autogenic training are classical (but time-consuming) techniques; while mind machines and mental training systems produce similar effects in a much shorter period of time. The use of technical, audio-visual stimulation is said to result in flexibility of thought, understanding of complex situations and contexts, control of complexity in the mind as a response to the many facets of a task, rich sensations and intuition as a complement to logic and analysis, recognition and experience of different areas of consciousness, and associated special skills and qualities.

B. Sherman/P. Judkins²⁾ expect that "virtual reality" (cyberspace), created by computers, will also be used in the field of psychotherapy. Psycho-cybernetic training programmes for therapeutic purposes are already available on the Internet.

We do not intend to discuss what effects the use of these technologies will have on the mind and what learning effects can be achieved through man/machine interaction. Our intention is to show that we are now faced with a phenomenon that totally destroys our traditional distinction between the mind (consciousness) on the one hand and nature on the other. We might say that the human mind fuses with a technical prosthesis that changes and allegedly strengthens it, even making spiritual experiences possible.

There is no doubt that this man/machine interaction has a considerable manipulative influence on our minds. It can have a major impact on our inward and outward behaviour. In unstable individuals, it can lead to psychological disorders resembling psychiatric illness.

If the present experiments with mind machines were to become a movement affecting the whole of society – a society that would then seek its salvation and

¹⁾ Berger, L.: Neues Lernen braucht das Land Mind Machines und Neues Lernen, in: Lehmann, R. G. (ed.), Weiterbildung und Management. Planung, Praxis, Methoden, Medien. Landsberg Lech 1994.

²⁾ Sherman, B./Judkins, P.: Virtual Reality, Cyberspace Computer kreieren synthetische Welten. Bern/Munich 1993.

happiness in the use of such devices – we would leave the traditional sphere of religion and ideology as the form and expression of our own inwardness that shapes our lives. Faith and ideological conviction as the foundation on which to build our lives would be replaced by science and technology, in the shape of the learning laboratory, as a new system for generating well-being and happiness.

According to this new concept we would then increase the capacity of our minds in the learning laboratory, like the software of a computer, in accordance with the latest technological developments in brain and intellect research. J. Habermas³⁾ predicted a trend of this kind as long ago as 1968 and described it as a characteristic of the post-modern age.

One of the main representatives of this new, technological concept of man is Scientology. If we take L. Ron Hubbard's human machine model seriously as he describes it in his book "Dianetics" (cf. the use of a lie detector as a bio-feedback instrument and the conception of man as a piece of engineering), Scientology is part of the post-modern movement that takes engineering and science as its ideology and is no longer within the sphere of religious belief as experts on religion throughout the world maintain to this day. According to Hubbard's own view of himself he is a psycho-engineer re-programming the human computer by means of engineering technology and exercising socio-cybernetic control over a society that has become a mega-machine made up of perfectly-functioning human computers.

However, how are we to classify such psycho-engineers and social engineers? There is no doubt that they do not fall into the category of religious pastoral care; nor do they qualify as (mental) psychotherapists; instead, they must be considered to be part of the field of behavioural modification (behavioural psychology).

This shift of paradigm in our conception of ourselves as human beings, associated with the switch to science and technology as an ideology, may have more profound effects than any of the philosophical or ideological changes of the past, for it replaces our current civilian and religious concept of human beings as self-determining individuals invested with human dignity with a concept that equates human beings with machines which have to be manipulated in a learning laboratory in order to function properly. The primary objective in life is no longer the search for meaning but the achievement of perfect functioning. The motto is no longer "Know thyself!" but "Function optimally and economically!"

³⁾ Habermas, J.: Technik und Wissenschaft als "Ideologie". Frankfurt/Main 1968.

**Minority opinion submitted by Dr Angelika Köster-Lössack, MP,
and Professor Dr Hubert Seiwert, members of the working group
of the parliamentary group of Bündnis 90/Die Grünen in the
Enquete Commission on
“So-called Sects and Psychogroups” with regard to the
Commission’s Final Report**

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Preliminary remarks

We disagree with the Final Report of the German *Bundestag*’s Enquete Commission on “So-called Sects and Psychogroups” because the findings available to the Commission have led us to a different assessment of the subject under review than the majority of the Commission’s members. For this reason, we would also like to submit different recommendations for action. We do, however, agree with the following chapters of the majority’s report: 3.5. The Psychomarket, in as far as it describes the findings of the study; Chapter 5.2 Children and Adolescents in New Religious Movements and Psychogroups. We also agree with the description of the expert reports, prepared on behalf of the Commission on the subject of “Entry Pathways and Membership Histories in So-called Sects and Psychogroups”. This part is attached to the majority’s report in the Annex.

We are unable to agree with the overall tenor of the majority’s report. We consider it necessary to make a clear distinction in the analysis between new religious movements and religious minorities (“so-called sects”) on the one hand, and “psychogroups” and the “psychomarket” on the other. Mixing these two areas is not conducive to the differentiation the subject requires. In our opinion, it is not part of the Commission’s mandate to extend the scope of the subject under review to include certain forms of marketing (“pyramid selling systems”, “multi-level marketing”).

Under the German *Bundestag*'s decision to establish the Commission, the latter had the mandate to deal with "the problems arising from more recently established religious and ideological movements, so-called sects and psychogroups". This means that the subject to be reviewed is definitely limited to the field of "new religious and ideological movements".⁴⁾

We do not agree with the report adopted by the majority of the Commission's members with regard to the assessment of the findings on new religious movements available to the Commission. This applies especially to the assessment of the results of the research projects carried out for the Commission and the expert reports prepared at its request, as well as the conclusions drawn. All of the results show that, as a rule, new religious and ideological movements are not a source of danger exceeding what is observed in other similar social contexts. In view of the public's fears, we feel that this is the most important result of the Commission's work.

This overall result does not mean that social conflicts cannot and do not arise in this field. However, according to the present findings the majority of the conflicts are within the limits of social conflict usual in a pluralistic society. Where abuse and infringements of the law occur, the laws applied must be those that are valid for all.

The large number of recommendations for action adopted by the majority of the Commission members tends to create the impression that there are considerable problems in the field of new religious and ideological movements that exceed what is observed in other areas of society. In our opinion, this is contrary to the Commission's actual findings. We do not see a need for the recommendations for legislative action submitted by the majority of the Commission's members such as the amendments to tax laws and legal provisions on associations, the tightening of the provisions on usury, funding of private counselling centres by government, and the Act on Life-counselling Services. For this reason, we voted against most of the recommendations aimed at introducing new laws or amending existing ones, or we abstained from voting. Social conflicts cannot be prevented or resolved by acts of parliament. This is especially true of conflicts in the field of religion and ideology, where the government is obliged to maintain strict neutrality. It is, however, the responsibility of government to ensure that conflicts are settled within the framework of the existing legal system.

Moreover, government also has the right and obligation to inform the public correctly and objectively on problems arising in the context of new religious movements. The Commission's work has shown that a high degree of differentiation is necessary. This is one way of helping to minimise existing conflicts as well as prejudice.

⁴⁾ *Bundestag Doc. 13/4477*, p. 3.

Our own recommendations for action are concerned with measures aimed at reducing conflicts, establishing a foundation, promoting research, organising counselling centres, as well as recommendations with regard to self-supervision of providers of life-counselling services, and the publication of the expert reports prepared on behalf of the Enquete Commission.

The Commission intensively studied the Scientology Organisation. A large amount of information was submitted indicating that this organisation pursued objectives and applied practices that were unacceptable from a political and moral point of view. It is necessary to react to these findings appropriately with the methods open to a constitutional state. In order to do this, we have to clearly specify the problems that exist in connection with Scientology. This is the only way to avoid the misconception that they are the same problems that arise from new religious movements and so-called psychogroups in general. In our minority opinion, we therefore devote a separate chapter to Scientology.

I. Introduction

1. Subject of the Commission's work

The German *Bundestag*'s decision to establish the Enquete Commission describes the subject to be studied as "new religious and ideological movements, so-called sects and psychogroups".⁵⁾ In the course of its work, the Commission dealt with a wide range of contemporary religious, ideological, therapeutic, economic and social phenomena. More specifically, the various areas covered can be defined as follows:

- (1) "New religious movements". i.e. religions of non-Christian origin and Christian communities outside the Catholic Church, the official Protestant Churches in Germany's federal states and the *Arbeitskreis christlicher Kirchen* (Association of Christian Churches).
- (2) The "psychomarket". This was taken to mean methods of treatment that are not based on orthodox medicine or some other science, courses for developing personal abilities, offers of life-counselling services, meditation and yoga courses and the like.
- (3) "Psychogroups". This seems to mean groups that form around certain service providers in the "psychomarket".
- (4) Occultism/esoterics, i.e. the belief in forces and phenomena that are not accessible to scientific investigation, and practices connected with these in as far as they occur outside the sphere of religious traditions.
- (5) "Pyramid selling" and other direct-marketing systems.

⁵⁾ *Bundestag* Doc. 13/4477, p. 3.

In accordance with the mandate defined by the German *Bundestag* in its decision to establish the Commission, the members devoted most attention to those aspects of the subject under review of which they assumed that they might be considered to be potentially dangerous to the individual, society or government, or that may give rise to conflicts. Relatively little attention was paid to the remaining aspects.

In the course of the Commission's work, it became clear that the subject under review was so heterogeneous as to make generalisations impossible. However, the focus of the work was on new religious and ideological movements that are popularly termed "sects". In this context, the Commission devoted most of its attention to the Scientology Organisation, which is a particularly controversial issue in the public debate. However, the Commission did not classify the Scientology Organisation as a new religious movement.⁶⁾

The Commission's study of new religious movements has shown that there is no information on such movements which would justify referring to new religious movements in general as a social problem or – worse – a danger. On the other hand, it became clear that some new religious movements give rise to conflicts that are sometimes fierce. As with all conflicts, the information given by the parties involved varied considerably as far as the causes and the development of the conflicts were concerned. It is necessary therefore to investigate the facts very carefully in order not to side with one of the parties to the conflict.

2. Sources of information

In investigating the facts, the Commission used information from a number of different sources. The most important of these were as follows:

- Former members of new religious and ideological movements, the Scientology Organisation and a pyramid marketing system were heard, most of whom had a critical attitude towards these movements and organisations. Moreover, the Commission had access to numerous documents expressing criticism and warnings with regard to new religious movements and the Scientology Organisation, and also some of the latter's internal documents.
- Representatives of some new religious and ideological communities were also heard; they naturally drew a different picture.⁷⁾ Some new religious movements and some Free Churches also submitted written statements.

⁶⁾ The question of whether the Scientology Organisation should be classified as a new religious or ideological movement, a psychogroup or an ordinary commercial enterprise was not answered conclusively.

⁷⁾ The representatives of the Scientology Organisation and of *Verein für psychologische Menschenkenntnis* (VPM) attended the hearings but were not willing to answer questions.

- Representatives of governmental, Church and private counselling and information centres were heard likewise. Their assessments varied. As the counselling centres mainly deal with cases in which problems and conflicts have arisen, it was these aspects that predominated. Some of the private counselling centres heard were themselves involved in legal conflicts in this field.⁸⁾
- The Commission also received oral and written statements and reports from governmental agencies (in particular the German Federal Government, the governments of Germany's various federal states and the Offices of Criminal Investigation in these states) and expert reports drawn up at the government's request. These were complemented by official reports from other countries and by the European Parliament, as well as court decisions.
- In addition, the Commission had awarded contracts for some scientific studies; and furthermore, scientists and other experts were heard on some issues. The members of the Commission who were themselves experts contributed published research findings and research of their own to the Commission's work.

In spite of the large number of information sources, it was difficult to identify reliable facts. Both the presentations made by the critics of the new religious movements and the descriptions which these movements gave of themselves have to be taken seriously, although they are of course subjective and highly influenced by vested interests. Nevertheless, numerous documents on the activities of the Scientology Organisation were submitted to the Commission.

Official information and scientific studies play a particularly important role against this background. The expert reports and research projects carried out on behalf of the Commission give a more detailed and methodical picture of new religious movements than the other sources of information.⁹⁾ At the same time, however, they make it clear that there is still considerable need for scientific research to fill the remaining gaps in our knowledge.

⁸⁾ These were applications for injunctions brought against private counselling centres.

⁹⁾ The expert reports and research reports were as follows: Beratungsdienst für Sekten- und Weltanschauungsfragen beim Bischöflichen Generalvikariat Aachen: Beratungsbedarf und auslösende Konflikte im Fallbestand einer sogenannten Sektenberatung anhand von Fallkategorien und Verlaufsschemata; Gladigow, B.: "Durch welche Merkmale läßt sich religiöse Abhängigkeit bestimmen?"; Hellmeier, G.; Fach, W.: "Evaluation des Anbieter- und Verbrauchermarktes bei Psychotechniken, Psychomarkt und Esoterikszene"; Murken, S.: "Soziale und psychische Auswirkungen der Mitgliedschaft in neuen religiösen Bewegungen unter besonderer Berücksichtigung der sozialen Integration und psychischen Gesundheit"; Roderigo, B.: "Zur Qualifizierung von Beratungsarbeit im Spannungsfeld sogenannter Sekten und Psychogruppen: Kriterien und Strategien"; Streib, H.; Fuchs-Heinritz, W.; Schöll, A. and Veaser, W.: "Aussteiger, Konvertierte und Überzeugte – kontrastive biographische Analysen zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus religiös-weltanschaulichen Milieus oder Gruppen."

II. Results of the inquiry

1. Findings in the field of new religious movements

The Commission's findings concerning new religious movements are especially important because it is these movements and communities that the public chiefly associates with the term "sects". The German *Bundestag*'s decision to establish the Enquete Commission also equates "so-called sects" with "new religious movements".¹⁰⁾ The new religious movements that are most significant in Germany in terms of size and are best known to the public are listed in the following section.

a. Quantitative aspects

When estimating the quantitative dimension of so-called sects and psychogroups it is important to distinguish between the different fields described above.

The results of a representative survey carried out on behalf of the Enquete Commission contributed little information on this point. 0.5 percent of the respondents said they were members of a new religious or ideological movement; 0.7 percent described themselves as sympathising with such a movement. Projected onto the total population this corresponds to 340,000 and 497,000 persons respectively.¹¹⁾ However, it is not clear what the respondents took "new religious and ideological movements" to mean. The few responses that specify the movement concerned name such various communities as the Anthroposophical Society, Baptists, Buddhist communities, Scientology and Jehovah's Witnesses. Since the questionnaire used explained "new religious and ideological communities" with attributes such as "meditation, spiritual training, energy work, life-counselling courses etc." and asked about participation in events and courses,¹²⁾ it also included the area described above as the "psychomarket".¹³⁾ This means that the resulting figures are of no use in determining the quantitative dimension of membership in new religious and ideological movements.

¹⁰⁾ Under Art. 56 of its Rules of Procedure (GO-BT), the German *Bundestag* herewith establishes an enquete commission to deal with the problems associated with new religious and ideological movements, so-called sects and psychogroups. (*Bundestag* Doc. 13/4477, p. 3).

¹¹⁾ Cf. the Interim Report of the Enquete Commission, pp. 33-36 (German *Bundestag*, 13th legislative period, Doc. 13/8170 dated 7 July 1997).

¹²⁾ The questionnaire is shown on p. 109 f of the Interim Report of the Enquete Commission.

¹³⁾ Meditation, spiritual training, energy work, life-counselling courses etc. are usually offered by individuals or institutions that do not belong to a new religious movement. It is also for this reason that most of the respondents were unable to answer the question as to which group had organised this event or courses. More than two-thirds gave no answer.

Information given by the new religious movements themselves gives an approximate picture of their number of members.¹⁴⁾ According to this information, two older communities have over 100,000 members (New Apostolic Church: 400,000; Jehovah's Witnesses: 166,000). Two communities have more than 10,000 members (Mormons: 36,000; Christian Community approx. 10,000).¹⁵⁾ All the other communities have less than 10,000 members. Figures exist for the following communities that have appeared in Germany in recent decades: ISKCON: 5,000, 500 of these "initiated"; Unification Church: 850; Fiat Lux: 700. In the case of Universal Life and the Osho Movement the number of members or friends is estimated at about 6,000 each. Estimates for groups such as Ananda Marga, Sahaja Yoga, Brahma Kumaris and *Holosophische Gesellschaft* (Holosophic Society) lie between 200 and 500 members.¹⁶⁾

b) Individual aspects: conversion, membership and "exit"

The international scientific literature contains a number of research findings that provide information on the conditions and consequences of membership in new religious movements. To obtain an overview of the status of research the Commission requested experts to prepare a report on "Social and psychological effects of membership in new religious movements, with special reference to social integration and mental health".¹⁷⁾ The study devotes most of its attention to quantitative empirical surveys that make it possible to draw general conclusions from a large number of individuals. In contrast to this, another empirical research project also requested by the Commission – "Drop-outs, converts and believers"¹⁸⁾ – uses a qualitative approach that takes the respondents' subjective experience and their biographical backgrounds as the starting point of its analysis. A further report on "The need for counselling, and conflicts generating such needs, in the cases handled by a so-called sects counselling centre; infor-

¹⁴⁾ The following figures were taken from statistics published by *Materialdienst der Evangelischen Zentralstelle für Weltanschauungsfragen* (Materialdienst der EZW, 1998, No. 4, pp. 125-127).

¹⁵⁾ In addition, there are various Protestant Free Churches; these are, however, not usually regarded as new religious movements.

¹⁶⁾ The information on Universal Life, the Osho Movement, Ananda Marga, Brahma Kumaris and *Holosophische Gesellschaft* are based on the statistics *Religionsgemeinschaften in Deutschland: Mitgliederzahlen des Religionswissenschaftlichen Medien- und Informationsdienstes* (REMID), published on the Internet.

¹⁷⁾ Prepared by Dr Sebastian Murken. The following quotations are taken from the unpublished manuscript.

¹⁸⁾ *Aussteiger, Konvertierte und Überzeugte. Kontrastive Analysen zu Einmünung, Karriere, Verbleib und Ausstieg in bzw. aus neureligiösen und weltanschaulichen Milieus und Gruppen sowie radikalen christlichen Gruppen der ersten Generation*, by Prof. Dr Werner Fuchs-Heinritz, Dr Albrecht Schöll, Prof. Heinz Streib, Ph.D. and pastor Wilfried Veese. The quotations are taken from the unpublished individual reports and the "Summary and Introduction" for which the four authors are jointly responsible.

mation based on case categories and histories”¹⁹⁾ provides empirical information on cases in which membership in a new religious movement resulted in conflicts that led those concerned to consult a Church advisory office for help in resolving them.

In its Final Report, in contrast to the Interim Report,²⁰⁾ the Commission was therefore able to fall back on empirical information that permits a sound and differentiated view of membership in new religious movements. It has to be admitted that even these research findings by no means compensate for the overall lack of empirical research in the German-speaking countries; but they do provide a basis that may be regarded as substantiated scientifically as far as its main elements are concerned.

Although the studies follow different methodological approaches and have different frames of reference, their findings coincide to a considerable degree. The following sections summarise the results topic by topic. Wide use is made of quotations from the reports in order to convey an authentic impression of the research findings. This would seem all the more important as we do not yet know whether and in what form these findings are to be published.

(1) Conversion to new religious movements (“entry pathways”)²¹⁾

In the introduction to their study on “Drop-outs, converts and believers” the authors describe a common interpretation of the “entry pathway” into a new religious movement and the problems it involves:

“In the literature on the subject we find a large number of theoretical concepts and approaches that consider the entry pathway into a “so-called sect or psychogroup” from the point of view of the special techniques and structures of the groups. They regard the new members of ‘destructive cults’ [...] as ‘victims’ of various manipulative methods in conjunction with deceitful cover-up tactics on the part of the groups. A common feature of all the theories is that they make the influencing techniques and totalitarian structure of the group the main feature of the explanation.” [...] [The suspected ‘psychotechniques’] “are described as methods that sometimes have severe effects on the physical and mental health and personal identity of the individuals involved, or result in dependency and constitute a danger to society.

¹⁹⁾ Prepared by *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen*. (Authors: H. Herbert Busch, Dr Hermann-Josef Beckers and Detlev Poweleit). Quotations from the unpublished report (March 1998).

²⁰⁾ *Bundestag* Doc. 13/8170.

²¹⁾ “Entry pathway” (*Einstieg*) and “exit” (*Ausstieg*) are the terms commonly used in the German public debate to describe the conversion to or the exit from a new religious movement. Hence, the German *Bundestag*’s decision to establish the Enquete Commission also speaks of “entry pathways”; this is why the term is mentioned here.

When discussed scientifically the findings from these studies – often summarised under the heading of ‘brainwashing’ – are criticised from the point of view of both method and content, and in some cases they are refuted. It would seem questionable in principle to apply the model that was originally developed from studies carried out on prisoners of war to ‘so-called sects and psychogroups’. [...] The consequences described can scarcely be verified empirically or interpreted in a definite causal connection with membership; the studies have fundamental methodological faults, and the dangers predicted are unconvincing in view of the number of members in absolute terms, stagnant recruitment figures and the high rate of leaving.”²²⁾

The “manipulation theory” was not confirmed by the authors’ investigations either. “In no case did we find attempts to acquire new members by force. Manipulative attempts to draw new members in did not exceed the extent usual in similar conflict situations in everyday life in our society.”²³⁾ There is not a single piece of empirical evidence to suggest that a person was “manipulated into” a new religious movement against his or her will. All the investigations conclude that the act of turning to a new religious movement must be interpreted as a process in which the potential convert is actively involved and which he does not suffer passively in the role of a “victim”. Whether or not conversion takes place as a result of the initial contact depends to a very great extent on how far the needs of the potential convert correlate with the specific features of the religious community concerned:

“The attractiveness of the cult is directly related to the need structure of the seeker. The expectations of the BSW’s clients [BSW = Information and Counselling Service for Sects and Ideological Issues of the Diocese of Aachen] range from ‘better quality of life’ through ‘a solution to personal problems’ and ‘security and warmth’ to ‘fascinating characteristics of the cult leader’.”²⁴⁾

Scientists often describe the necessary correlation between individual needs and the features offered as “fit”:

“Counselling sessions have shown that the fit between the individual’s needs and the cult develops at the beginning of contact with the group as a result of the interaction between personal needs on the one hand and the features offered by the cult on the other.”²⁵⁾ “The discussions show that without an

²²⁾ Fuchs-Heinritz, W., Schöll, A., Streib, H., Veaser, W.: Aussteiger, Konvertierte und Überzeugte..., Zusammenfassende Darstellung und Einleitung, p. 6 of the unpublished report.

²³⁾ Ibid., p. 3.

²⁴⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte...*, p. 11, cf. also p. 32.

²⁵⁾ Ibid., p. 25.

affinity between the needs of the individual and the features of the cult, there is little likelihood of conversion.”²⁶⁾

Since a fit between the needs of the individual and the specific features offered by the community concerned is very much a matter of chance, it is not surprising that “of those persons who hear of an NRM [new religious movement], come into contact with it or even take advantage of an initial offer from the group, only a very few actually become a member.”²⁷⁾ This makes it plain that recruitment to a new religious movement is not a passive occurrence beyond the individual’s control. On the contrary: the recruit takes an active part in the process by either continuing the contact or breaking it off.

“The decision to become a member is usually a gradual process: conversion to an NRM [new religious movement] is not an all-or-nothing reaction. The approach takes place slowly, step by step and over a fairly long period. All the empirical studies emphasise this point.”²⁸⁾

None of the studies carried out at the Commission’s request confirmed the suspicion that joining a new religious movement is induced by applying “psycho-techniques” that eliminate or reduce the converts’ ability to decide or impair their soundness of mind.

There is agreement between the studies that deliberate canvassing of members by new religious movements is of secondary significance to the act of joining as far as numbers are concerned:

“During recruitment, the most important influence is exercised not by strangers in the street but by acquaintances: In the majority of cases the contact with an NRM takes place through ‘significant others’, i.e. persons within the individual’s own social network such as friends, members of the family or neighbours”.²⁹⁾

“It is noticeable that contact with ideological groups mainly took place in the personal sphere (44 percent) or in the context of school or work (38 percent). Contacts within the family (8 percent) and canvassing by the cult (10 percent) were reported much less often.”³⁰⁾

(2) Membership patterns in new religious movements

All the studies arrive at the same conclusion, i.e. that as in the case of conversion membership patterns in new religious movements are greatly influenced by the “fit” between the needs of the individual and the features offered by the group. However, it must be taken into account that this relationship can change

²⁶⁾ Ibid., p. 31.

²⁷⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 30.

²⁸⁾ Ibid., p. 31.

²⁹⁾ Ibid., p. 30.

³⁰⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte...*, p. 33.

during membership. The needs of the individual member may change as a result of development processes, but so may the structure of the group and the features it offers. In this way, an initially close fit may be loosened or vanish altogether. Membership that was originally experienced as beneficial and conducive to one's personal development then becomes restricting and an obstacle to development. This means that it is impossible to generalise about the consequences of membership for the individual; instead, we have to differentiate between various possible combinations of circumstances.

The starting point and requirement for conversion is initially a minimum of correlation between the specific problems and needs of the individual and the perceived features of the religious community:

“A career in a cult may be interpreted as the attempt to reduce, channel or avoid acute or latent internal or external conflicts, since the possibilities of dealing with them that are in principle open to the individual have either not developed or are blocked. In the process of this attempt to resolve them, feelings of fear, aggression or tension are alleviated.”³¹⁾

On the other hand it is by no means certain that the needs and expectations the convert associates with membership will in fact be fulfilled.

“It is the degree of fit between the group profile and the nature of the individual's problems that decides whether and how joining the group and a 'career' within it aggravate the problems or have a progressive beneficial effect.” “The manner in which individual problems and life themes are dealt with has less to do with the nature of the milieu and groups than with the fit between individuals and the groups. It seems clear that what happens to a subject in a particular milieu depends not least on the individual resources and scope for action he brings into his religious or esoteric career and not on the milieu or group alone.”³²⁾

This means that the effect of membership in a new religious movement depends to a great extent on the individual case. It must be remembered that each person brings his own life history with him, and that membership in a new religious movement does not constitute a break with one's life history; it is merely a continuation:

“If we wish to do justice to individuals in their relationships with particular groups, we have to take their whole life history into account. Handling of the life theme in the context of the group has been preceded by its handling in other contexts. What appears to be a special feature of the particular group

³¹⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte...*, p. 10.

³²⁾ Fuchs-Heinritz, W., Schöll, A., Streib, H., Veaser, W: *Aussteiger, Konvertierte und Überzeugte...*, Zusammenfassende Darstellung und Einleitung, p. 3 of the unpublished report.

culture when viewed in isolation may, in an analysis of the subject's whole life history, prove to be a repetition of patterns in which the life theme has already been handled in other contexts (family, partnership etc.)."³³⁾ "It is the specific problems of a life theme that result in varying recourse to a group, since each individual connects specific contexts of the group with his own life theme."³⁴⁾

In other words: membership in a new religious movement takes different courses according to the personality structure of the individual member. What may appear to the outsider to be a homogeneous milieu made up of like-minded and conforming "sect members" proves to be differentiated and individual when the members are viewed singly:

"Whether the milieu was open or closed, the subjects established their own relationships with the group and the outside world and thus created different conditions for dealing with the problems in their lives".³⁵⁾

The differences between individuals make it understandable that membership patterns vary too. Whether and how long a person remains a member of a new religious movement depends largely on the individual himself and not so much on the structure of the group:

"No differences can be found between "stay-ins" and "drop-outs" with regard to the way their life themes are handled. "Stay-ins" have either found their own satisfactory solution to the problem in their life that brings them into contact with the group, or they are working on it in the context of the group. "Drop-outs" have either been unable to solve their particular problem and have therefore switched groups. [...] Or the group was used by "drop-outs" as a moratorium to enable the life theme to be dealt with at all. After finding a solution which is satisfactory to them, they left the group and returned to the world of everyday things."³⁶⁾

(3) Withdrawal from new religious movements ("exit")

The findings presented to date have shown that it is by no means unusual to leave a new religious movement; the "exit" is one of the options that shape the course of membership. The widespread opinion that it is practically impossible to leave a new religious movement by one's own efforts is not confirmed by empirical findings.

"As a rule, membership in an NRM is relatively brief and can sometimes be regarded as a transitional phase." "The high level of fluctuation in NRMs, with relatively short terms of membership, that is reported by nearly all authors,

³³⁾ Schöll, A.: Aussteiger, Konvertierte und Überzeugte kontrastive Analyse zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus fernöstlichen Gruppen, Bewegungen und Organisationen (unpublished report), p. 55.

³⁴⁾ Ibid., p. 56.

³⁵⁾ Ibid., p. 57.

³⁶⁾ Ibid., p. 56.

contradicts the assumption that once members have been drawn into the organisation they are no longer able to free themselves by their own efforts.”³⁷⁾

It is, however, true that withdrawal from a new religious movement “often takes the form of a severe crisis accompanied by extensive instability, since one’s own identity may be called into question and thoughts, feelings and relationships have to be re-oriented.”³⁸⁾ It must be remembered that in cases of long membership in a new religious movement, especially, social contacts are often centred around members of the particular group and in extreme cases may even be restricted to these. In such cases leaving the group does not only involve dissociating oneself from its religious and ideological beliefs; above all it means giving up one’s present system of social relationships. In other words, it is a major biographical turning-point that may be accompanied by both inward and outward insecurity.

“According to our data, processes of detachment from such groups that involve a severe conflict usually result from the fact that those who wish to detach themselves still have conflicting feelings of attachment to the group.”³⁹⁾

If a member of a religious community decides to leave, it is because he feels that to remain in the group would be a burden or disadvantage to him. The expectations or hopes connected with membership have not been fulfilled or have been eclipsed by other aspects. Under these circumstances the “exit” may put an end to the negative experiences involved in membership; but it is also possible that those sets of problems the individual hoped (in vain) to solve through membership will become virulent again:

“A career in a cult can be interpreted as an attempt to reduce or avoid acute or latent internal or external conflicts. The objective is usually to alleviate or channel feelings of powerlessness, anxiety, aggression or tension. Because of this ‘psychological benefit’ of belonging to the cult it is difficult even for doubting members to dissociate themselves from it. If the deeper reasons for his career in the cult are not addressed and dealt with he may remain at risk in spite of leaving the cult.”⁴⁰⁾

The present findings of the inquiry lead us to assume that the psychological burdens and crises involved in leaving a new religious movement are sometimes considerable. They include various factors whose significance can only be determined in individual cases. However, here, as in other contexts, it is impossible to generalise. We find withdrawal processes fraught with conflict on the

³⁷⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 36.

³⁸⁾ Ibid., p. 37.

³⁹⁾ Fuchs-Heinritz, W., Schöl, A.I., Streib, H., Veaser, W.: Aussteiger, Konvertierte und Überzeugte..., Zusammenfassende Darstellung und Einleitung, p. 3 of the unpublished report.

⁴⁰⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte...*, p. 31.

one hand and instances of leaving without any problems on the other. The study on religious fringe groups gives the following summary:

“It was interesting to note that in all groups of volunteers, there were isolated cases of individuals who had joined and left several NRMs; i.e. against the background of their biographical and personality-related patterns, these persons were in search of a particularly close fit. For such people, leaving seems to be fairly undramatic event. The often short periods of membership (a few months to about two years) and even the experience of leaving a group are usually integrated into the subject’s own biography in a constructive manner.”⁴¹⁾

This observation is also confirmed by other investigations. Several processes of joining and leaving different religious or “spiritual” groups are by no means unusual. One author describes religious biographies of this kind as the “accumulative heretic” type:

“In the case of the accumulative heretic, ‘choice’ is used in the sense of ‘selection’ – also by the individual himself; moreover, it usually means choice of specific features and by no means implies acceptance of all the details of a religious tradition. [...] The accumulative heretic moves from one religious/-spiritual milieu to the next and may undergo all manner of initiation rituals in the process.”⁴²⁾

Also against the background of the relatively high fluctuation rate that involves a stay of less than two years for the majority of individuals who join a new religious movement,⁴³⁾ the “exit” may be regarded as a process that is relatively normal in the overall context although it may put a great strain on the individual.

The Commission had no information indicating that persons who wished to leave a new religious movement were prevented from doing so by force or other

⁴¹⁾ Veese, W.: Empirische Forschungsarbeit für die Enquete-Kommission “Sogenannte Sekten und Psychogruppen” zum Thema “Aussteiger, Konvertierte und Überzeugte – kontrastive Analysen zu Einmündung, Verbleib und Ausstieg in bzw. aus radikalen christlichen Gruppen der ersten Generation”. Quoted from the unpublished report, p. 52.

⁴²⁾ Streib, H.: Abschlußbericht über das empirische Forschungsprojekt: Aussteiger, Konvertierte und Überzeugte. Kontrastive Analysen zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus neureligiösen und weltanschaulichen Milieus und Gruppen sowie radikalen christlichen Gruppen der ersten Generation mit besonderer Berücksichtigung der Milieus und Organisation christlich-fundamentalistischer Prägung. Quoted from the unpublished report, p. 5. As an example of this type, Streib describes a case where an individual passed through, *inter alia*, the following groups and milieus in the course of 20 years: meditation groups; a Bhagwan group; a bioenergetics group; a sensitivity group; psychological therapy; Scientology; a Protestant charismatic group (p. 29).

⁴³⁾ Murken, S.: Soziale und psychische Auswirkungen..., p. 36.

illegal methods.⁴⁴⁾ Nor was there any proof that individual new religious movements tried to make it impossible for members and followers to leave.

c. Specific issues

(1) “Psychotechniques”, manipulation and dependency, mental health

According to the findings from the investigations carried out on behalf of the Commission there is no reason to assume that individuals are made to join small religious communities by the manipulative use of social control and mental destabilisation techniques. Although these results do not permit generalisations about all religious fringe groups, they do show that it would be incorrect to regard the use of manipulative “psychotechniques” as a significant factor in acculturation and continued membership in religious fringe communities. This means that there is no confirmation of widespread fears among the public that the new religious movements known as “sects” bring people into a relationship of dependency against their will and keep them in such a relationship. This takes some of the drama out of the “psychotechniques” and “mental destabilisation” complex.

However, having said this, we also have to admit that membership in strict religious communities that make great demands on the individual’s life-style creates ties for the persons concerned that may be interpreted as dependency from certain perspectives. The greater the sense of unity within the group and the more it shuts itself off from the outside world, the stronger the bond with the community concerned. This does not only apply to religious communities and groups. Membership means acknowledging the group’s internal rules, and observance of these is facilitated by social control within the group. Viewed from outside, adjustment to the group’s internal hierarchies and adherence to specific rules for living may be interpreted as dependency, especially if the values specific to the group differ considerably from those of the observer and are rejected by him. However, those involved do not usually regard such ties as an undesirable restriction of their personal freedom.

In other words: the extent to which social ties are interpreted as dependency is not least a function of our assessment of the social group with which such ties exist. Similarly, the processes of personality change that may result from joining a new religious community are also interpreted in very different ways. What may be seen from outside as abandonment of independency or loss of adequate contact with reality may be seen from inside as spiritual self-discovery and the acquisition of deeper knowledge. Finally, certain strict life-styles that are followed in some religious communities (e.g. extensive meditation, prayer, Church

⁴⁴⁾ Former members of the Scientology Organisation reported to the Enquete Commission that force had been used in an attempt to prevent them from leaving. However, it must be emphasised once again that Scientology is not classified as a new religious movement in this context and that Scientology is dealt with in greater detail below.

services, fasting, instruction, a strictly regulated daily routine) may be interpreted either as means of promoting religious and spiritual development or as mental destabilisation techniques, depending on one's standpoint.

Viewed in isolation, neither the powerful ties with a religious community nor the processes of personality-shaping and compliance with group-specific ways of life that are associated with them constitute a social problem as long as these ties are accepted voluntarily and can be broken again. The present findings show that this is usually the case.⁴⁵⁾

On the other hand it must not be overlooked that the possibilities of social control and influence bound up with close association with a group can, in principle, be abused:

“In all social structures characterised by dependency and strong emotional relationships there is a possibility of deliberate abuse on the one hand and/or negative reactions to the situation on the other. There are reports to this effect on many institutions such as the major Christian Churches, the school system, psychiatry, psychotherapy, the armed forces, marriage, and dependent employer-employee relationships.”⁴⁶⁾

In the case of religious communities, we must remember that the acknowledgement of religious authority may involve willingness to obey and subordination. In new and small religious groups with largely informal structures that lack institutionalised monitoring by a religious authority, the risk of abuse of power is much greater than in organisations that are part of governmental or major Church structures. This is especially true when the groups concerned are shut off from the outside world and thus inaccessible to external social control.

It is not possible to tell how widespread abuse actually is. There is no evidence that abuse is more common in new religious movements than in similar social structures. “On the basis of the findings from biographical interviews it is not plausible to speak of ‘sects’. Nor can the groups be generally described as ‘radical’ or ‘dangerous’.”⁴⁷⁾ The mechanisms and processes of social and emotional influence, control and ties are within the limits of what can be observed in other close group relationships. As a rule, the persons concerned do not interpret these processes as manipulation or dependency at all, or at least not until they have dissociated themselves from the group. However, at the same time it has to be admitted that the risk of abusing the possibility of influencing people is much greater in groups closed off against the outside world than in groups

⁴⁵⁾ “The high level of fluctuation in NRMs with relatively short terms of membership that is reported by nearly all authors contradicts the assumption that once members have been drawn into the organisation, they are no longer able to free themselves by their own efforts.” (Murken: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 47).

⁴⁶⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 25.

⁴⁷⁾ Fuchs-Heinritz, W., Schöll, A., Streib, H., Veaser, W.: Aussteiger, Konvertierte und Überzeugte..., Zusammenfassende Darstellung und Einleitung, p. 3 of the unpublished report.

that have a high level of transparency and are therefore subject to external social controls.

The Commission had no empirical findings to justify the assumption that there is a special form of “psychological dependency” in new religious movements. There is no evidence that “religious dependency” exists. In particular there is no empirical proof that would justify identifying symptoms such as “lack of will”. “loss of contact with reality” or “abandonment of the moral principles that are binding for all”.⁴⁸⁾

The study on the need for counselling, and conflicts generating such needs, in the cases handled by an ‘advisory office on sects’ comes to the conclusion that the psychological conflicts of the members of new religious movements who seek advice are on other levels:

“As the diagram shows, it is mainly problems of identity and problems within the family (23 responses each) that lead our clients to visit the counselling centre. It is also considerable problems in these two fields that are most often mentioned as triggering factors (11 and 9 responses respectively). If we include topics from the fields of partnership (12/3) and the personal environment (10/1) we see that it is mainly problems arising from interpersonal relationships that make outside help necessary for the client. With 13 (10/3) responses, problems in the clients’ working environment play a comparatively minor role.”⁴⁹⁾

There is no evidence that the psychological problems found with some of the members of new religious movements were caused by membership, although the possibility cannot be excluded in individual cases. However, there does seem to be a greater number of cases in which membership acts as a catalyst or focus for problems that exist independently of membership:

“The client’s view of the problems described and her ability to deal with them constructively changed significantly in the course of counselling. [...] In all the counselling processes it became evident that the cult context remained in the foreground until the clients were in a position to address their own problems and start solving them. From this point onwards the cult problem shrank to insignificance.”⁵⁰⁾

It must be remembered that the empirical basis of the study quoted here is not broad enough to permit a generalised interpretation of the findings. It is true that quantitative studies also conclude that “it is not possible to prove that membership in an NRM (new religious movement) has a damaging effect”.⁵¹⁾ However, it is pointed out that there are no longitudinal scientific studies show-

⁴⁸⁾ Cf. Murken: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 47.

⁴⁹⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte...*, p. 11, cf. also. p. 31.

⁵⁰⁾ Ibid., Kurzdarstellung der Ergebnisse, points 9 and 10.

⁵¹⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 39.

ing whether certain unusual personality traits precede membership in new religious movements, or even predispose individuals for such membership, or whether they must be regarded as a consequence of membership.⁵²⁾

“There is evidence of an unusually large proportion of subjects with a pre-morbid personality; i.e. several studies find members of new religious movements with a history of a traumatic childhood and neurotic development. Such persons often seem to be stabilised psychologically and socially by membership in an NRM.”⁵³⁾

It should be noted in this connection that it is not possible to generalise on the psychological effects of membership in a new religious movement. On the one hand, we cannot exclude the possibility of negative effects such as aggravation of existing psychological problems; on the other hand, there is evidence of positive effects, too.⁵⁴⁾ Nearly all the psychometric studies carried out on a fairly large random sample of active members of a new religious movement and evaluated by Murken confirm the hypothesis that membership may contribute to an improvement of the psychosocial well-being. The following examples of positive effects were cited in various studies: cessation of drug abuse; reduction of anxiety and depression; stabilisation of the individual's perception of the meaning of life. Although it is not possible to derive forecasts for individual members from these quantitative studies, they do “permit the assumption that the clear and often rigid structure of NRMs [new religious movements] may make an important contribution to overcoming difficulties in times of crisis, lack of ego identity and social isolation. However, possibly the features of the NRM become increasingly restrictive and a nuisance as one's ego identity, sense of social security and wish for individualisation. What was initially helpful and structuring is then experienced as restricting and an obstacle to development.”⁵⁵⁾

⁵²⁾ Ibid, p. 40.

⁵³⁾ Ibid, p. 47.

⁵⁴⁾ Attention should be drawn in this context to an empirical study that was not prepared on behalf of the Commission but which was carried out and evaluated with the involvement of a member of the Commission: Zinser, H., Schwarz, G., Remus, B.: *Psychologische Aspekte neuer Formen der Religiosität*. Tübingen 1997. Some of the findings which had not been expected by the authors are mentioned below: “The random sample of esoterics and adherents of new religious movements is more satisfied with life than the total sample of non-religious and traditionally religious individuals. [...] The sample of esoterics and followers of new religious movements is more achievement-oriented than that of the non-religious persons. Least achievement orientation is found in the sample of traditionally religious persons. [...] The random sample of esoterics and adherents of new religious movements is less inhibited and less aggressive than the sample of the non-religious and traditionally religious persons. [...] Physical complaints are reported less often in the sample of esoterics and adherents of new religious movements than in the sample of non-religious and traditionally religious persons” (p. 40 f.). Although the authors admit that the above differences are not statistically significant because the samples are too small, the results are certainly plausible against the background of other studies.

⁵⁵⁾ Murken S.: *Soziale und psychische Auswirkungen der Mitgliedschaft ...*, pp. 42-44, quotation from p. 44.

The research findings therefore show that a highly differentiated approach is necessary in order to determine the psychological and personality-shaping influences of new religious movements. Attributes of “psychological dependency” such as “strong influencing of one’s everyday life by others”. “stereotyped reactions in communication with outsiders concerning the community to which one belongs” or “an unusual degree of conformity” prove to be one-sided and misleading characterisations:

“Contrary to the general prejudice we have, in our sample, a number of cases in which transformation work has taken place in the context of the fundamentalist milieus and groups and resulted in stronger self-assurance, greater self-assertion and differentiated ways of approaching and dealing with various matters, including religion and religious notions.”⁵⁶⁾

(2) Children in new religious movements

The persons who devote themselves to a new religious movement are usually adults, although the age structure seems to vary from one group to another. The term “youth religions”. often used in the past, is therefore misleading. Nevertheless, in many communities there seems to be a disproportionate number of members who were between eighteen and thirty-five years of age when they joined.

When assessing the effects of membership, we therefore have to distinguish between children who were socialised in a new religious movement by their parents and those who decided for themselves to become members.

In cases where a person is socialised in a new religious movement during childhood, a rigid religious upbringing can make it more difficult to cope with certain tasks of development (e.g. breaking away emotionally from parents, developing a psychosexual identity or deciding on a career).⁵⁷⁾

The Commission dealt with the topic of “children in new religious movements and psychogroups” in detail and presented its findings in Chapter 5.2 of the Report adopted by the majority of the Commission’s members. We support this part of the Report.

(3) Conflicts in and with new religious movements

The empirical data available show that generalisations about new religious movements are only possible to a very limited extent. In many respects the studies carried out at the Commission’s request contradict the public’s usual con-

⁵⁶⁾ Streib, H.: Abschlußbericht über das empirische Forschungsprojekt: Aussteiger, Konvertierte und Überzeugte. Kontrastive Analysen zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus neureligiösen und weltanschaulichen Milieus und Gruppen sowie radikalen christlichen Gruppen der ersten Generation mit besonderer Berücksichtigung der Milieus und Organisation christlich-fundamentalistischer Prägung. Quoted from the unpublished report, p. 8.

⁵⁷⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 41.

ception of new religious movements. In particular they do not confirm fears that membership in a new religious movement is usually brought about by the use of “psychotechniques” against opposition from the persons concerned and has a negative effect on the mental health of the members. It became evident that membership in a new religious movement must be viewed as part of an individual’s biography and that the interaction between the individual and the group may have different consequences – both positive and negative – depending on the particular set of circumstances.

“There can be no reasonable doubt that for some individuals, membership in an NRM [new religious movement] can become a traumatic experience with extremely unfavourable consequences for their psychological organisation and social life.

However, the question that arises is whether such negative experiences have to be interpreted as an expression of a general ‘destructiveness’ on the part of the particular group, or whether the experiences of the persons concerned can be explained by the specific interaction between the individual and his environment.”⁵⁸⁾

Conflicts in connection with new religious movements were one of the central themes of the Commission’s work. Different degrees of significance were attached to interactive processes on the one hand and characteristics specific to the group on the other. It is clear that conflicts and potential for conflict can only be analysed properly if all the persons involved and their relationships with each other are considered. Only against this background can the relative significance of individual factors be evaluated. We feel it is questionable from the point of view of methodology to try to interpret the situation by seeing the potential for conflict in certain attributes of new religious movements only.⁵⁹⁾

(a) Conflicts between members and the group

As far as findings on this point exist, they confirm the importance of interactive relationships for analysing conflicts:

“Contacts with the groups classified as radical or fringe-Christian [...] revealed that although some conflict-generating characteristics were identifiable, these were nearly always to be found in other ideological communities or rigid social milieus as well (e.g. authoritarian club or association structures and strict hierarchies with structures of dependency restricting the individual). This

⁵⁸⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft..., p. 25.

⁵⁹⁾ “The attempt to obtain an objective overview of the problems and conflicts inevitably leads to the conclusion that these are not caused solely by the groups that are collectively termed ‘sects’. On the contrary, the expression “*Spannungsfeld*” (dichotomy) indicates that there is a dynamic process between two poles.” (Roderigo, B.: Gutachten Zur Qualifizierung von Beratungsarbeit im Spannungsfeld sogenannter Sekten und Psychogruppen: Kriterien und Strategien im Auftrag der Enquete-Kommission “Sogenannte Sekten und Psychogruppen” des Deutschen Bundestages, April 1998, p. 5, emphasised in the original text).

does not mean that individual “drop-outs”. in particular, had not experienced very considerable conflict in the process of de-conversion. However, these processes revealed activities and structures within the individual that must be considered a contributory cause and a dominant feature – and are even interpreted as such by some of the “drop-outs” themselves.”⁶⁰⁾

In the summary, the same study suggests that conflicts arising in religious communities should be viewed in a wider social context:

“As far as this could be ascertained by the methods used in this investigation and in the religious fringe communities concerned, the conflicts observed within the groups in the context of leaving processes and the manipulative group dynamics, for example during the initial contact or the acculturation process, are basically no different from those in many everyday social situations. Conflicts in interpersonal relationships also occur in families and as a result of dependency on rigid employers. Complex and traumatic separations experienced by married couples seem to have effects similar to distressing processes of leaving religious fringe groups. We may also assume that secular social milieus with a clear command-and-obedience structure and situations with strong relationships characterised by financial or other dependency provoke a similar psychological experience.”⁶¹⁾

Here, too, there is a need for caution when drawing general conclusions from the findings. However, in view of the fact that the Commission had no research results that went beyond these findings or contradicted them, they should not be overlooked. Other sources of information have to be taken into account in addition to the research results. These include reports by former members of new religious movements, some of which have been published in books and the media. The Commission also interviewed some former group members. Naturally, these reports reflect the subjective perception and interpretation of the conflicts by the individuals concerned and therefore permit even less generalisation than the scientific investigations using controlled methods. One of the research reports draws attention to this problem:

“Reports by former members on their personal experiences might be termed a species in their own right. [...] They give important indications of possible risks and strains, or structures and processes within the groups, but they often neglect the positive biographical significance that always exists as well in connection with the experience described when this becomes an instru-

⁶⁰⁾ Veese, W.: Empirische Forschungsarbeit für die Enquete-Kommission “Sogenannte Sekten und Psychogruppen” zum Thema “Aussteiger, Konvertierte und Überzeugte kontrastive Analysen zu Einmündung, Verbleib und Ausstieg in bzw. aus radikalen christlichen Gruppen der ersten Generation.” Quoted from the unpublished report, p. 6.

⁶¹⁾ Ibid.

ment in the shape of an indictment for coping with and legitimising the course of the individual's own life.”⁶²⁾

There is no doubt that such reports are an important source of information on the structures of the conflicts and the course they take. On the other hand they need to be compared with the perceptions and interpretations of the other parties, i.e. the religious communities and groups concerned. The Commission was not able to undertake this difficult task. This means that there is still a considerable need for further information on this point.

(b) Conflicts with family members

It is not unusual for the public to accuse membership in a new religious movement of destroying families, in particular of alienating children from their parents. The Commission was not able to deal with this question in detail. It did, however, interview one mother who told of her experiences.

There is no doubt that it is distressing for many parents when their grown children give their allegiance to a new religious movement with which they themselves have little sympathy and that may be described by the public as a “sect”. Such distress is aggravated when a conflict arises between parents and their children that makes the relationship less close or even brings it to an end. As with all family conflicts involving a dynamism that has often developed over the course of decades, it is difficult to identify the fundamental causes and structures. Mutual accusations are usual. At best it is possible to investigate the course taken by a conflict in a concrete case; generalisations are out of the question.⁶³⁾

Against the background of the information available on the life histories of members of new religious movements we have to take account of the fact that in many cases tensions and psychological strains existed within the family before conversion and can often be traced back to the subjects' childhood. Disturbed relationships are distressing both for the parents and for the children. However, as far as we can tell from the information available, the causes are more often to be found in the particular family situation than in specific structures of new religious movements. In connection with new religious movements of the eastern type, one report includes the following comments:

“Disappointment on the part of the affected parents over disturbed relationships with their children often turns into aggression towards the groups to which the grown-up children have committed themselves. At best, campaigns organised by parents that attract media attention can create difficulties for

⁶²⁾ Fuchs-Heinritz, W., Schöll, A., Streib, H., Veaser, W.: *Aussteiger, Konvertierte und Überzeugte...*, Zusammenfassende Darstellung und Einleitung, p. 4, note 3.

⁶³⁾ An overview of the problems that arise for parents when their children convert to a new religious movement and the different ways of reacting is provided by Barker, E.: *New religious movements. A practical introduction*. London 1995 (5th revised edition), pp. 93–100.

such groups in terms of their legitimation. However, the problems of the interpersonal relationship remain to be solved, and their solution becomes more and more urgent with every public campaign.”⁶⁴⁾

It should also be remembered that disturbed relationships between members of a family that express themselves in the context of membership in a new religious movement are disturbed relationships for which it is rarely possible to blame one of the parties only. Wrong as it would be to seek the causes solely in membership, it would also be misleading to attribute the problem that led to membership to the parents’ behaviour alone.

(c) Conflicts with Churches

In the 1970s and 1980s, especially, public opinion of new religious movements was very considerably influenced by experts on sects appointed by the Churches. Even now, the Churches’ experts are still important protagonists in public discussion. In some cases the attitude of the Churches to new religious movements, which is often – but by no means always – very critical, has given rise to severe conflicts. Some attempts to settle these conflicts have even involved recourse to the law.

Here, too, we must take into account that conflicts have to be interpreted as interaction between the parties involved. One-sided interpretations according to which the critical attitude of the Churches is purely the expression of religious and ideological competition are unlikely to constitute a true assessment of the situation. On the other hand, there is a total lack of substantiated and usable information on the structures of such conflicts and their patterns. Nor did the Commission go into them.

(d) Infringements of the law

The Commission had no evidence to indicate that infringements of the law by new religious movements or their members are more frequent than in other social contexts. In the case of some new religious movements that engage in economic activity, reference was made to infringements of labour and social security laws; however, this was not documented.⁶⁵⁾ They seem to be within the limits of what is also found in other areas of the economy.⁶⁶⁾ No further information was available. Only one case of conflict with criminal law became known. It

⁶⁴⁾ Schöll, A.: Aussteiger, Konvertierte und Überzeugte kontrastive Analyse zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus fernöstlichen Gruppen, Bewegungen und Organisationen (unpublished report), p. 49.

⁶⁵⁾ There is one substantiated case, however, in connection with Scientology, although this case is not relevant in the present context because we are only considering “new religious movements” as defined by the Commission. Scientology is dealt with in a separate chapter below.

⁶⁶⁾ Statement presented by the Federal Ministry of Labour and Social Affairs, working document 13/289.

was a case of child abuse by a father who forced a young child to meditate for hours on end. The Commission had no evidence of suspected “crime-generating conduct” on the part of individual new religious movements in the Federal Republic of Germany.

(4) Economic activities

No precise information is available on the economic activities of new religious movements or their members. Most of the members of new religious movements are presumably wage- or salary earners, trainees, housewives, self-employed persons or members of the professions. Some are doubtless unemployed. A few new religious movements run small or medium-sized businesses in which they probably employ mainly their own members. In general the number of persons who work for the new religious movements full-time, as their main occupation, seems to be small, although there are considerable differences from one community to another. However, there is no exact information on this point either.

The economic activities of new religious communities in Germany seem to be a peripheral phenomenon that cannot be classified according to economic categories.⁶⁷⁾ The surveys carried out by the Enquete Commission brought no empirical confirmation of the theory that German industry is being “undermined” by religious minorities (“sects”). Concrete accusations to this effect expressed in public seem to relate exclusively to the Scientology Organisation, which was not classified by the Commission as a new religious movement. It will be discussed in detail later.

The Enquete Commission asked several trade organisations about the economic activities of religious minorities. The associations approached were not in a position to give concrete information on the economic significance of religious minorities in their particular fields. All in all, the answers were very vague. No facts concerning the influence of religious minorities on industry that could be checked empirically were given. However, there does seem to be some sensitivity to this topic as a result of reports in the mass media.

The indications and estimates of market shares, turnover and employment figures or concentration within industries given in publications by “sect critics” suggest that enterprises connected with new religious movements are a marginal phenomenon. By normal industrial standards, what is described as a “business empire” is in fact a medium-sized company. The economic activities

⁶⁷⁾ This is also confirmed by the survey among industry associations initiated by the Enquete Commission.

of religious minorities also have to be regarded as insignificant in comparison with those of the major Churches.⁶⁸⁾

Where economic activities are carried out professionally they are subject to the pertinent statutory regulations. There is no information to suggest that the problems that arise are fundamentally different from those in other business enterprises. However, some new religious movements said, in their statements to the Commission, that their members sometimes find themselves at a disadvantage in their careers or in business when it becomes known that they belong to a new religious movement described as a “sect”.

In the Commission, attention was drawn to the fact that payment of members who work for new religious movements is often below the standard rates negotiated under collective agreements. However, it must be remembered that in religious communities, including the major Churches, it is not unusual to devote time and effort to the community without receiving financial remuneration that would be considered appropriate by the standards of ordinary employment. Voluntary work is also a common feature of religious communities. Nevertheless, personal and social problems may arise if a member wishes to leave a religious community that paid inadequate social security contributions – or none at all – for him while he was employed there. The Commission has no information with regard to the scope of this problem.

According to the Federal Ministry of Labour and Social Affairs, retrospective contributions must be paid into the statutory pensions insurance scheme for the period of insurance-exempt employment of former members of religious co-operatives and similar communities. There is no system for paying retrospective unemployment insurance contributions for these former members. The Federal Ministry of Labour and Social Affairs is not aware of any comparative studies with regard to labour and social security legislation for individuals employed by the established Churches and by religious minorities.

d. Analysis based on the requirements laid down in the German *Bundestag*’s decision to establish the Commission

The German *Bundestag* requested the Commission to give its opinions on a number of questions, based on the findings it would obtain. These questions are dealt with below as far as they affect “new religious movements”. which are equated with “so-called sects” in the German *Bundestag*’s decision to establish the Commission. “Psychogroups”. which are described as “new ideological movements” in the *Bundestag*’s decision, are dealt with elsewhere in our report.

⁶⁸⁾ Jehovah’s Witnesses, for example, are said to achieve an annual profit of DM 144 million through printing and selling books and magazines (Eimuth, K.-H.: “Sekten als Wirtschaftsunternehmen” in: Christ, A.; Goldner, S. (ed.): *Sekten in der Wirtschaft. Wie man sich vor Scientology schützen kann.* Frankfurt/Main, no date, p. 45. Apart from the major Churches, other religious communities do not achieve anything like such a turnover because of their much smaller number of members.

(1) Analysis of objectives, activities and practices of the new religious movements operating in the Federal Republic of Germany.⁶⁹⁾

Although the Commission did not deal with the matter explicitly, it can and must be pointed out to start with that the primary objectives, activities and practices of new religious movements in Germany are of a religious nature. There are, however, considerable differences with regard to specific features because the various new religious communities are guided by different traditions. The majority of the estimated 600 or more groups probably fall into the category of groups belonging to the Christian faith, but there are also communities which are guided by Buddhist, Hindu, Muslim, Eastern Asian or ancient traditions and natural religions, as well as others which newly developed syncretising movements.

As in all religious communities, the activities and practices of new religious communities usually include joint cult events – i.e. religious activities in the narrower sense of the term – and a number of other activities directed towards fostering community life, establishing and maintaining organisational structures or securing financial resources. As a rule, their community life is more intensive than that of the major Churches; personal contacts between members are more frequent and there is greater willingness for commitment and personal effort. Also in contrast to the major Churches there is a great willingness among members of many new religious communities to declare their faith publicly and follow religious principles in daily life. In connection with this, some communities engage in missionary work to a greater or lesser extent with the aim of convincing others of the value or truth of their own religion.

The various sub-points of the Commission's mandate:

(a) "To identify dangers emanating from these organisations for the individual, the State and society"

According to the information accessible to the Commission, the organisations of the new religious movements in Germany do not constitute a risk to individuals, government or society. However, as the above findings show, membership in a new religious movement may trigger psychological crises in some individuals. Membership may also result in conflicts within the family. These risks are clearly expressed in one of the expert reports:

"For 'directly affected' individuals, the risk involved in membership in a cult is that of a possible negative reaction between personal disposition and the fea-

⁶⁹⁾ The wording of the questions in the following chapters is largely taken from the German *Bundestag*'s decision to establish the Commission. Cf. *Bundestag* Doc. 13/4477, p. 3.

tures of the cult; for 'indirectly affected' individuals, it lies in the strains and influences within their social system that are associated with conversion."⁷⁰⁾

There is agreement between the experts that the risks are within the limits of what can be observed in other social contexts, too. This does not mean that the problems that may result for the individual are negligible. As in other social fields in which personal problems may arise (e.g. in partnerships or the family) society has an obligation to provide suitable forms of counselling and assistance to help individuals cope with serious personal problems.

However, it must also be emphasised that in principle there is always a possibility that new religious communities – especially small groups that lack the features of an established institution – may develop along undesirable lines that lead to acute risks for their members. Examples are the killings and suicides by the Solar Temple group in Switzerland and Canada and the suicides of members of the Heaven's Gate group in the United States. The conditions here are similar to those in other close emotional relationships, such as within families, where acute risks may also arise in certain combinations of circumstances. So far, cases of this kind have not occurred in Germany. Nor is it possible to predict them.

(b) "To appraise open and concealed societal objectives pursued by these organisations"

It is not possible to identify any "open societal objectives" beyond the religious objectives described above, at least not on the basis of the information available. However, it must be taken into account that religious objectives may have definite societal implications. This is because religions usually define certain values and ethical standards. Above all, many communities with a Christian orientation – but not only these – attach great importance to values such as the family and marriage and have fairly strict views on sexual morals. A certain tension arises between these standards and practices and those of the societal environment. Hence, efforts made by some groups to propagate their own values and moral standards in society may be referred to as a societal objective.

Some communities try to implement certain life-styles and also a certain economic system within their own group. If such economic systems have a different internal organisational structure than the capitalist market economy, it is possible to speak of a societal objective here as well.

In principle, however, it is also possible to interpret any missionary activity as the expression of a societal objective, for the aim of mission is to disseminate one's own religious and thus moral views. Tension may well arise between reli-

⁷⁰⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte..., Kurzdarstellung der Ergebnisse, Point 14.*

gious standards and the legal standards of society. This is the case, for example, when groups disapprove of abortion on religious grounds and when they (overtly or covertly) pursue the societal objective of preventing the legalisation of abortion. The Commission was not able to study these moral – and thus implicitly political – views, since to do so would require extensive research.

(c) “To identify national and international interconnections of these organisations“

Some of the new religious movements which are better known to the public did not reach Germany until after the establishment of the Federal Republic of Germany; most came from or via the United States (e.g. ISKCON, Unification Church). Others have existed in Germany for many decades but originated abroad and often still have their headquarters in other countries (e.g. Jehovah’s Witnesses, Mormons). Some originated in Germany and have followers in neighbouring countries or outside Europe (e.g. Universal Life, Fiat Lux). Many of the religious fringe communities which are less well known to the public maintain more or less close relations and networks that also include contacts with other countries.

This situation is largely what is to be expected at a time of increasing globalisation. However, the fact that religious communities have their headquarters abroad is by no means solely a present-day phenomenon. Nor is it unusual for religious communities to transfer money abroad. The Commission had no information which would suggest that the international networks of new religious movements have to be viewed differently from those of the major Churches.

(d) “To identify the limits to recourse to the constitutionally guaranteed freedom of religion for more recently established religious and ideological movements, so-called sects and psychogroups”

There was a broadly-based consensus in the Commission that the religious freedom guaranteed by the German Constitution is only limited by barriers inherent to the Constitution. This means that other, equally important constitutional interests cannot be violated by invoking freedom of religion.

(2) Reasons for joining new religious movements and the growth of such organisations

The studies carried out at the Commission’s request provide relatively good and detailed information on the reasons for joining new religious movements. They have been summarised in the section “Individual aspects: conversion, membership and ‘exit’”. It is scarcely possible to condense these findings any further without losing the necessary degree of differentiation. With this reservation we may say, in very general terms, that people become members of a new religious movement because the features offered by the community concerned seem

attractive to them. They remain members if and as long as the expectations they associate with these features are fulfilled. If this is not, or is no longer, the case they usually dissociate themselves from the community, often after a relatively short time.

With regard to the reasons for the growth of new religious movements we first have to establish that no substantiated information is available on whether and in what respect new religious movements are growing in Germany. As far as the better-known communities are concerned that have been familiar to the public for many years (e.g. Unification Church, ISKCON, Family), membership seems to be on a constant level or even noticeably on the decline. Nor is it possible to speak of a further growth of the more recent religions that have existed in Germany for decades. On the other hand there are indications that the number of religious communities is increasing. However, the Commission has no reliable information on these quantitative aspects as a whole. Until it is known whether and in what respect new religious movements are growing it is impossible to give reasons for such a growth. This situation reveals a considerable lack of research into the sociological aspects of religion in Germany.

The various sub-points involved are:

(a) “To study typical case histories, i.e. how individuals become members and what happens after they join such organisations”

The findings on the subjects of “entry pathways” into, and “membership” in, new religious movements have been described above. The most important findings are:

“The studies did not confirm that there is a typical biographical ‘disposition’ towards sects”.⁷¹⁾

“There is neither a typical entry process nor a typical exit process”.⁷²⁾

“The question as to whether an individual stays in a milieu or group for a longer period of time, switches to another milieu or group, or leaves depends on whether the individual finds the “right” methods and options to work on his or her problems.”⁷³⁾

In other words: it is not possible to generalise.

(b) “To identify the social and political conditions which lead to an increased willingness to join so-called sects and psychogroups”

We have already pointed out that there is no definite information on whether an increased readiness to join new religious movements currently exists and what

⁷¹⁾ Fuchs-Heinritz, W., Schöll, A., Streib, H., Veese, W.: Aussteiger, Konvertierte und Überzeugte..., Zusammenfassende Darstellung und Einleitung, p. 2.

⁷²⁾ Ibid.

⁷³⁾ Ibid.

form it may take. The occurrence of new religious movements has been a normal phenomenon throughout history. In the Middle Ages and the Modern Age, deviating forms of religiousness were termed “heresy”; in later times they increasingly became known as “sects”. A brief outline of the development of sects since the Reformation is provided by Helmut Obst:

“Lutherans, members of the Reformed Church, and Anglicans were able to achieve public recognition as “Churches”, even if this was restricted to certain regions; but in the eyes of the Roman Catholic Church they remained sects, i.e. associations of heretics.

The communities on the left fringe of the Reformation – the Anabaptists, followers of Schwenckfeld and the Antitrinitarians – were not granted legal recognition. They were persecuted by all the major religious parties, were regarded as heretics by all. With a few local and temporary exceptions there was no religious tolerance. Nevertheless, the formation of religious groups increased after the Reformation – covertly and overtly, inside and outside the major denominations. A fertile breeding ground was mystic spiritualism. In the Protestant faith a separatist variety of pietism, which was a comprehensive revival movement, became the starting point for free communities and Free Churches. With the exception of the Netherlands, Europe officially had no room for religious outsiders. They found a refuge in North America. There they were able to develop, and it was there that the religious pluralism characteristic of modern times began at a very early date.

In the Holy Roman Empire, only Catholics, Lutherans and members of the Reformed Church were protected by the imperial laws under the Treaty of Westphalia in 1648. All the other religious denominations were denied sufferance. Their story is one of bloody persecution and suppression, as the history of the Anabaptists shows.”⁷⁴⁾

Against the background of repression and persecution it is understandable that in the early Modern Age the willingness to join a new religious community – a “sect” – was restricted by the personal disadvantages it involved. In Germany, tolerance was not achieved in effect until the 19th century, and it was the Constitution of the Weimar Republic of 1919 that introduced equal legal rights for religious minorities.

When suppression by government ceased in the 19th century, new religious communities began to spread more widely. At the same time new religious communities were imported to Germany, especially from the Anglo-Saxon countries. The range of these new religious movements, most of them Christian, that have

⁷⁴⁾ Obst, H.: *Außerkirchliche religiöse Protestbewegungen der Neuzeit*. Berlin 1990, p. 20.

appeared and spread in Germany since the 19th century is extraordinarily wide.⁷⁵⁾

Since the German Constitution of 1949 also guarantees religious freedom, religious minorities can develop unimpeded in the Federal Republic of Germany. Since the 1960s, especially, new religious movements based on non-Christian traditions have reached Germany in addition to those that originated in or were brought to Germany in the 19th and early 20th centuries. In part, interest in eastern religions and wisdom coincides with a general criticism of certain forms of modern civilisation; this has found its expression in the New Age movement, for example. At the same time the major Churches have lost both members and intellectual influence on society as a whole.

To summarise we may say that the most important social and political precondition for the willingness to join new religious movements – a willingness that has increased since the 19th century – is probably the religious freedom guaranteed by the Constitution. Further factors may be the waning influence of the major Churches and with it the pluralisation of life-styles and interpretations of the meaning of life that is to be found in modern societies in general. As far as the general, overall conditions for the emergence and development of new religious movements in Germany is concerned we refer to Chapter 3.1 of the Report adopted by the majority of the Commission's members, which we support.

(c) "To identify enlistment and recruitment strategies pursued by these organisations"

No information permitting general conclusions is available on the question of contact and recruitment methods. The new religious movements differ greatly with regard to the significance they attach to missionary activity and also with regard to the methods employed. Plainly, they also differ greatly with regard to the success of their missionary activities.

In general, however, it is possible to make the following comment:

"Recruitment to an NRM is not a passive occurrence in which the recruit is subjected to a dominant force; he/she is actively involved in the process of becoming a member. This process usually extends over a fairly long period with several stages in which the two sides move closer together. Not every person who is willing to have a first encounter with an NRM will eventually join the movement."⁷⁶⁾

There is no empirical research into the conditions and success of the missionary activities of new religious movements in Germany. In the Anglo-Saxon countries,

⁷⁵⁾ Cf. Obst, H.: *Apostel und Propheten der Neuzeit. Gründer christlicher Religionseinigungen des 19./20. Jahrhunderts.* Berlin 1990; Gäbler, U.: *"Aufertehungszeit". Erweckungsprediger des 19. Jahrhunderts.* Munich 1991; Linse, U.: *Barfüßige Propheten. Erlöser der zwanziger Jahre.* Berlin 1983.

⁷⁶⁾ Murken, S.: *Soziale und psychische Auswirkungen der Mitgliedschaft...*, p. 46.

however, numerous scientific studies exist; they show that in most cases the recruitment of new members takes place through existing personal contacts and networks, through friends and acquaintances.⁷⁷⁾ These findings were also confirmed by the studies carried out on behalf of the Commission, as stated above.

It may also be considered empirically substantiated that the actual religious features of new religious communities (e.g. religious cult and instruction) are not the factors most important for the attractiveness of a group. The relations and personal contacts between the members are more important. Only if a new member establishes satisfactory relationships with other members will he remain in the group. The course taken by integration of new members is basically no different from that in other groups.

(d) “To develop proposals designed to prevent citizens, as well as companies, associations, pressure groups and other institutions from inadvertently being drawn into such organisations or being abused by such organisations”

The Commission had no information which would suggest that citizens, as well as companies, associations, pressure groups or other institutions were inadvertently being drawn into new religious movements or abused by them.

It is conceivable that, in isolated instances, individuals may not have been adequately informed about the community concerned during their initial contact with a new religious movement. However, there is no information – and it is in fact unlikely – that persons have become members without realising it. Attention must again be drawn to the findings available to the Commission, according to which the approach to a new religious movement is an interactive process in which the new member is actively involved.

Attention has already been drawn to the possibilities of conflict and abuse that exist in principle in all social structures of a similar kind. The possibilities of general prevention would seem slight. The problems here are similar to those involved in conflicts and dysfunctional developments in families. However, it is possible and necessary to offer help to those affected by providing suitable counselling services.

Where cases of abuse take the form of criminal acts the public prosecutors' offices are the competent authorities.

⁷⁷⁾ An overview of recruitment methods is given by R. Stark and W. S. Bainbridge, “Networks and Faith: Interpersonal Bond and Recruitment to Cults and Sects”. in: *ibid.*, *The Future of Religion*, Berkeley 1985, pp. 307-324.

2. Findings in the fields of the “psychomarket” and “psychogroups”

Aside from new religious movements, the “psychomarket” and “psychogroups” were key topics of the Commission’s work. This field goes well beyond the “more recently established ideological movements” mentioned in the German *Bundestag*’s decision to establish the Commission and only overlaps in peripheral areas, if at all. Moreover, it only coincides with the field of “new religious movements” to a small extent.

a. Differentiation and quantitative aspects

The analysis entitled “Providers and Consumers in the Psychomarket” which was carried out on behalf of the Enquete Commission takes the term to mean “unconventional healing and life-counselling methods” such as massage and relaxation techniques, naturopathy, phytotherapy, homoeopathy and acupuncture, and also meditation techniques and esoteric procedures such as astrology.⁷⁸⁾ “Psychomarket” in the narrower sense of the term is no doubt primarily taken to mean alternative methods of therapy from the “New Age” and “Esoterics” sectors, but no precise distinction is made. The psychomarket also includes the many book publications in this field; these are said to account for 7-10 percent of all new publications in the book market.⁷⁹⁾ No information is available on the number of providers of therapy and courses in the psychomarket. It is estimated that 46 percent of the population in Germany uses alternative methods (as of 1992); internationally, this figure ranges between 20 and 50 percent.⁸⁰⁾

The clients of the “psychomarket” are not usually organised in groups. However, where providers are organised or where certain forms of therapy or personality development courses are not applied individually but in group sessions, it is possible to speak of “psychogroups”. The Commission did not make a precise distinction. Nor did the Commission have any information on the number of psychogroups or the size of their membership. As a rule, however, the Scientology Organisation is classified as a psychogroup. The current membership of the Scientology Organisation is estimated at between 6,000⁸¹⁾ and 10,000⁸²⁾.

b. Results of the investigation into the “psychomarket”

The findings obtained from the investigation into “Providers and Consumers in the Psychomarket”. which was carried out on behalf of the Commission, are

⁷⁸⁾ Hellmeister, G. and Fach, W.: Anbieter und Verbraucher auf dem Psychomarkt. Eine empirische Analyse. Eine empirische Analyse im Auftrag der Enquete-Kommission “Sog. Sekten und Psychogruppen”. unpublished manuscript, pp. 3-5.

⁷⁹⁾ Cf. *ibid.*, p. 10 f.

⁸⁰⁾ *Ibid.*, p. 5

⁸¹⁾ According to the REMID statistics.

⁸²⁾ According to findings of the Hamburg Office for the Protection of the Constitution, the organisation’s membership is “well below 10,000”. (Reuter, 10 April 1998 - 10:54).

described in Chapters 3.5.1 and 3.5.2 of the Report adopted by the majority of the Commission's members. We agree with this part of the Report.

The "Problems, Risks, and Negative Experience" as well as the "Conclusions" (described in Chapters 3.5.3 and 3.5.4) are not based on findings from the above investigation.

However, we share the opinion expressed by the majority of the Commission's members that the findings from said investigation do not in themselves constitute an adequate basis for a general assessment of the "psychomarket" and that there is a considerable need for further research. It will be necessary to differentiate clearly between the services and methods subsumed under the term "psychomarket". The fact that over 80 percent of the users interviewed were subjectively satisfied with their alternative life-counselling services does not permit any conclusions concerning the effectiveness of specific methods and procedures. Conversely, the finding that there are also "problematic experiences" does not permit conclusions to be drawn with regard to the "psychomarket" as a whole. The Commission had no information at its disposal which would have justified the statement that alternative forms of therapy and life-counselling services are generally more risky than conventional treatments. However, there seems to be largely a lack of clearly defined professional standards and transparency, which means that in individual cases, there may very well be risks that are not sufficiently clear to the client.

Research will have to deal with the positive experiences – which clearly predominate – and with the potential risks.

c. Results of the investigation into "psychogroups"

One sub-project of the research project on "Drop-outs, Converts, and Believers" dealt with the field of "Psychocults/Esoterics".⁸³⁾ It involved biographical interviews with active and former members of the following groups and participants in seminars organised by the following organisations: *Ayahuasca*; *Bruno-Gröning-Kreis*; Hannes Scholl; Kontext; Landmark; Life Coaching; Quadrinity Process; Silva Mind; The Natale Institute (TNI); *Zentrum für experimentelle Gesellschaftsgestaltung* (ZEGG).⁸⁴⁾ A common feature of these groups is that they offer various forms of (psychological or physical) therapy or help in coping with the problems of life. Their fundamental theoretical and ideological assumptions differ considerably, but as a rule these assumptions are not substantiated scientifically or by conventional medicine. In this point there is definite overlap-

⁸³⁾ Fuchs-Heinritz, W., assisted by Kolvenbach, R. and Heinritz, Ch.: Bericht über das Teilprojekt "Psychokulte/Esoterik" im Forschungsprojekt "Aussteiger, Konvertierte und Überzeugte – Kontrastive Analysen zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus «neureligiösen» und weltanschaulichen Milieus oder Gruppen", carried out on behalf of the German *Bundestag*'s Enquete Commission on "So-called Sects and Psychogroups", 31 December 1997, unpublished.

⁸⁴⁾ Ibid., pp. 7-11 with brief outline.

ping with the “psychomarket” that is not organised in groups, and with “esoterics”.

However, it must be pointed out that the degree of organisation of most of the “psychocults” investigated differed greatly from that of the new religious movements. In most cases it is not possible to speak of “membership” in the proper sense of the word:

“Some of the seminar organisers suggest that the persons who have taken part form circles of acquaintances, but definite membership status only exists in a few groups (in particular Bruno Gröning); this means that there is no definite end to this status (‘exit’).”⁸⁵⁾

“The terms ‘joiners’, ‘drop-outs’ and the like are only appropriate to a few groups. Most of the encounters with a group or a seminar organiser cannot be described in terms of membership status.”⁸⁶⁾

Reservations are therefore necessary when comparing “entry” into one of these “psychocults” with conversion to a new religious movement:

“In no case was there conversion in the meaning of a comprehensive transition to a new system of thought and belief. In some interviews the respondent’s biography since childhood or youth was emphasised as the basis for his present view of the world and life, [...] but conversion in the sense of a ‘turnaround’ was totally lacking.”⁸⁷⁾

There are, however, certain parallels with conversion to religious movements in that the accompanying circumstances and motives leading to the approach to a “psychocult” depend to a great extent on the individual case, which makes it difficult to generalise. On the basis of the biographical interviews and an analysis of these the investigation distinguishes between different types of approach and “entry“:

- A. “out of interest; willing to learn”
- B. “looking for therapy”
- C. “sent there, induced or put under pressure”
- D. “looking for my place in life”
- E. “in order to share experience with other interactive partners”
- F. “looking for a force to shape my life”.⁸⁸⁾

It is remarkable that apart from Type C, in which the approach is induced or pressure is exerted by another person, for example a member of the family (it is also conceivable that the approach might be induced by an employer), the per-

⁸⁵⁾ Ibid., p. 12.

⁸⁶⁾ Ibid., p. 59.

⁸⁷⁾ Ibid., p. 60.

⁸⁸⁾ Ibid., p. 11.

sons involved usually enter the relationship actively and deliberately. The investigation does not confirm the suspicion that the groups or providers “tempt” or “incite” persons to take part more or less against their will:

“In no case was an individual ‘manipulated’ into a group; no-one was ‘duped’. Type C – ‘sent there, induced or put under pressure’ – is not drawn in by the group; he is pushed in by persons in his social environment with whom he interacts closely. The problematic biographical consequences for Type C (probably) have little to do with the doctrine and practices of the group; they are more likely to be a result of the relationship with those closely interacting partners who exerted the pressure.”

“In no case did the encounter with a group come about on a ‘marketing’ basis (“psychomarket”). It was always significant others, at least casual acquaintances, who drew attention to the services offered.”⁸⁹⁾

This combination of circumstances is similar to that found in the approach to new religious movements. The findings show that deliberate recruitment of individuals is plainly of secondary significance for an individual’s acceptance of the features offered by a “psychocult”.

Nor, however, was the assumption confirmed that certain combinations of biographical factors predispose individuals to take an interest in “psychocults”:

“In spite of an intensive search it was not possible to identify a combination of biographical factors (e.g. problems of orientation at school, in deciding on a career, finding a partner; attempts to break out of social isolation) that was common to all cases within a category and constituted a common reason for entering a group. It would seem that the reasons or trigger mechanisms determining whether or not a person remains in a group etc. are not of an overall biographical nature; the explanations lie in the processes that are regarded as central. [...]

However, beyond this result, we find that in 10 out of 15 cases – across all categories, as it were – there are signs of major disruptions in the socialisation process, or more precisely, in the development of an individual’s identity vis-à-vis his or her parents.”⁹⁰⁾

Because of the methods used in the investigation it is not possible to interpret these results quantitatively and establish the statistical frequency of certain combinations of factors, for example. Moreover, the empirical basis of the investigation does not make it possible to determine the consequences of participation in seminars or membership in groups of this kind in general terms. Nor did the Commission have access to any other empirical research findings that would permit generalisations on this point. Like the “psychomarket” complex, the complex of “psychocults” or “psychogroups” is extremely heterogeneous.

⁸⁹⁾ Ibid., p. 60.

⁹⁰⁾ Ibid., p. 57.

There is a considerable need for empirical studies on individual types of therapy and groups. The term “psychogroups” suggests a uniformity and comparability that does not seem to exist in practice, at least according to the information available.

- d. Analysis based on the requirements laid down in the German *Bundestag*’s decision to establish the Commission

In this connection, it must be emphasised once again that the terms “psychomarket” and “psychogroup” cover an immense range of different methods, procedures, events, and theoretical and ideological assumptions. The Scientology Organisation is also classified as a “psychogroup”. This is one of the reasons why the term has largely negative connotations when used by the public, rather like the term “sects”. As the Scientology Organisation is in many respects a special case it will be dealt with in a separate section and is not taken into account here.

- (1) Analysis of objectives, activities and practices of the psychogroups operating in the Federal Republic of Germany

The subject of this investigation is the “dangers emanating from these organisations”. their “open and concealed societal objectives”. their “national and international interconnections” and the “limits to recourse to the constitutionally guaranteed freedom of religion”.⁹¹⁾

As far as it is possible to tell from the findings available to the Commission, it is not really appropriate to speak of “organisations” in the case of many or even most of the psychogroups. Their social form is usually that of a relationship between the provider, therapist or teacher and the clients. In most psychogroups the relationships between the clients are less important than in the new religious movements, where group formation and the personal relationships between the members play an important role. In some cases the clients are encouraged to establish and maintain personal contacts with each other outside the courses, which may result in group formation. However, this seems to be the exception.

The relatively loose bond between the clients and the providers or teachers makes it difficult to define the exact limits of the “organisations”. The teachers of a particular method or tradition may maintain their own networks or even formal associations and organisations. As far as it is possible to tell from the information available, such networks and organisations do not pursue political objectives in the narrower sense of the term. Nor is there any indication that risks to the individual, government or society proceed from these organisations.

⁹¹⁾ *Bundestag* Doc. 13/4477, p. 3, Section III.1.

Naturally we have to distinguish between this aspect and the question of whether the methods used may constitute a risk to the clients.

There is no information on the number of providers who belong to a formal association or organisation. Nor is it known how many providers work without such connections. However, as far as “international networks” are concerned, it may be said that many, if not most, of the personality development methods available in Germany are known and used in other countries, too. This means that there is a certain exchange of information at the international level, but nothing is known about its intensity. There are, however, some instances – apparently very few – of formal organisations that work on an international basis.

The freedom of religion guaranteed by the German Constitution and the limits to such freedom are of little significance in connection with “psychogroups”. Apart from the Scientology Organisation, the providers of therapy and personality development courses classified as “psychogroups” do not as a rule claim to be religions. When designated as religious movements by third parties, these organisations usually object to such a classification.⁹²⁾

(2) Reasons for joining a psychogroup and the growth of such organisations⁹³⁾

As already explained, it is not really appropriate to speak of “members” in connection with “psychogroups” as it is usually a case of a relationship between teachers and clients. In some cases, however, groups form which have a membership.

The Commission had no information on typical “case histories, i.e. how individuals become members and what happens after they join such organisations” beyond what has been described above as findings of the empirical study. In other words: there are no typical “case histories” in terms of the joining of such groups and membership patterns. The same applies to “enlistment and recruitment strategies”. which seem to have little significance for involvement in psychogroups. The Commission was unable to answer the question as to “what social and political conditions lead to an increased willingness to ‘join’ a psychogroup”. As far as the overall conditions for the emergence and development of new religious and ideological groups and movements are concerned, we refer to Chapter 3.1 of the Report adopted by the majority of the Commission’s members, with which we agree.

Nor was there any information which would suggest that “citizens, as well as companies, associations, pressure groups and other institutions are inadvertently being drawn into such organisations or abused by them”.⁹⁴⁾

⁹²⁾ For example, by representatives of Transcendental Meditation and Landmark at the hearings.

⁹³⁾ *Bundestag Doc. 13/4477*, p. 3, Section III.2.

⁹⁴⁾ *Bundestag Doc. 13/4477*, p. 3.

e. Interim summary

We have established that existing dangers and risks cannot be described by taking a generalised view of the “psychomarket” and “psychogroups”. Because of the great complexity and heterogeneity of the subject it is not possible to regard the risks that doubtless exist in certain areas as typical; nor are we justified in emphasising only the positive experiences and possibilities that doubtless exist as well. The findings do not permit generalisation in any direction. The fact that there is no evidence to suggest that certain organisations constitute a danger does not permit the conclusion that the methods and procedures used are free of risks. Nor does the existing information exclude the possibility that individual providers are not properly qualified in the methods they employ. In fact, the immense diversity of the field makes it highly probable that there are dubious individuals among the providers. On the other hand, this does not permit the broader conclusion that all or the majority of the providers are dubious or unqualified. It is in the interests both of the users and of the providers to draw up criteria for professional qualification and professional codes of ethics in order to ensure greater transparency and reduce the risk of encountering service providers of doubtful character.

The findings also show that it is necessary to make a clear distinction between new religious movements on the one hand and the psychomarket or psychogroups on the other. There are considerable differences between the two fields both in the way they view themselves and in the outward form they take. Nor are the problems the same. Most importantly, it must be pointed out that in the psychomarket/psychogroup field explicit offers of therapies and personality development courses are made for which specific techniques are employed. This creates a risk that such techniques will be incorrectly applied and possibly even abused. In most new religious movements, however, explicit techniques for changing an individual’s subjective well-being play only a minor role (e.g. in the form of meditation), or they are of no significance at all. Any personality changes are usually a result of the relationship with the group. The main risks therefore lie in the possibility of tensions in the social relationships within the community or with outsiders.

f. Scientology

In many respects the Scientology Organisation holds a special position in the public discussion of so-called sects and psychogroups. This is true first of all in quantitative terms: no other organisation or movement in this sector is the subject of so many reports in the media as Scientology; no other movement is so often the reason for consulting a counselling centre.⁹⁵⁾ However, it is also

⁹⁵⁾ About one-third of the inquiries addressed at the Informations- und Beratungszentrum Sekten/Psychokulte (IDZ) in Cologne in 1997 were concerned with Scientology. Roderio, B.: Gutachten “Zur Qualifizierung von Beratungsarbeit im Spannungsfeld sogenannter Sekten und Psychogruppen: Kriterien und Strategien” im Auftrag der Enquete Kommission “Sog. Sekten und Psychogruppen” des Deutschen *Bundestages*. Unpublished. April 1997, p. 25.

true in qualitative terms: No other organisation or movement is the target of such massive accusations that even go as far as criminal acts and unconstitutional activities; and no other organisation has reacted to criticism in such an aggressive and exaggerated manner as Scientology. The propaganda campaign carried out primarily in the United States, but also in Germany, in which the situation of Scientology in present-day Germany was compared to that of the Jews in the National Socialist period does not only reveal a willingness for ruthless disinformation; it is also proof of a strong tendency to respond to conflicts with confrontation. All this makes it necessary to view Scientology separately. It is essential to make a systematic study of the conflicts and problems associated with this organisation. However, at the same time it would not be correct to do so in the context of the new religious movements and psychogroups, for this would encourage the impression that the conflicts and problems concerned are those that exist to some extent in other groups as well.

(1) General information; organisational structure and membership

The Commission has intensively studied the Scientology Organisation, assuming that the organisation is not a religious community or a new religious movement although it calls itself “Church of Scientology”; however, this question was not discussed in detail. Moreover, it is of secondary importance for the topics dealt with by the Commission in connection with Scientology since the main objective was to analyse and assess the organisation’s practices rather than any religious or ideological doctrines.

The Commission’s material consisted mainly of information provided by its expert members, documents from the Scientology Organisation, statements by former members and scientific experts interviewed, opinions by official bodies, and generally accessible information such as press reports. Representatives of the Scientology Organisation were invited to a hearing held by the Enquete Commission, but they were not willing to answer questions. In addition, some of the members of the Commission had discussions with many people concerned with Scientology during a trip to the United States.

According to the terminology used by the Commission, the Scientology Organisation can be described as a “psychogroup”. This is supported by the fact that offers of courses or methods for developing one’s own personality are an important element. As in the case of many other psychogroups it is difficult to identify the boundaries of “membership”. Even repeated participation in courses does not, in itself, constitute membership status. Nor do the participants usually leave their normal social environment. However, there are also persons who work for the organisation for remuneration or on an unpaid basis. In the case of such “personnel” it is possible to speak of a status similar to membership, especially if the work involves formal membership in an organisation with legal capacity. The Commission had no information on the extent to which such formal membership exists in Germany. Against this

background, statistics on the number of members provide little useful information unless the criteria for membership are specified. The 1997 report on protection of the Constitution estimates the number of members at “well below 10,000”.⁹⁶⁾

Unlike most other psychogroups, the Scientology Organisation has a highly formal organisational structure. This structure is strongly hierarchical and bureaucratic, and there is an international network. The organisation’s headquarters is in Los Angeles. How far the formal administrative structures are actually implemented and function in practice is impossible to say in general, but according to the information submitted to the Commission we may assume that it is usually the case. This is also substantiated by the noticeably high level of co-ordination between activities in Germany and the United States that became apparent during the propaganda campaign described above.

Scientology also differs from most other psychogroups in that the theoretical and ideological principles on which the techniques offered in the courses are based are elaborated in great detail in the writings of L. Ron Hubbard. Some of the doctrines and metaphysical speculations are not generally accessible; they are not revealed (officially) until the “higher levels” of the system have been reached after various preparatory courses. The Commission did not go into these doctrines.

Nor did the Commission go into the “reasons for joining [...] and the growth” of the Scientology Organisation.⁹⁷⁾ As far as it is possible to tell from other sources, membership patterns seem to vary just as much as in other psychogroups. An earlier sociological study distinguishes between three types of motives that lead individuals to approach Scientology.⁹⁸⁾ It also gives various reasons for leaving. Published reports by former Scientology followers show that the “exit” is by no means always fraught with conflict or accompanied by “psycho-terror”.⁹⁹⁾ On the other hand, there is no doubt that the organisation reacts extremely aggressively to public criticism in many cases.

⁹⁶⁾ Report on the Protection of the Constitution, 1997, p. 183.

⁹⁷⁾ *Bundestag Doc.* 13/4477, p. 3, Point III.2.

⁹⁸⁾ Wallis, R.: *The road to total freedom: A sociological analysis of Scientology*. London, 1976, pp. 166-171. As regards the processes of conversion and membership, cf. also Whitehead, H.: *Renunciation and reformulation: A study of conversion in an American sect*. Ithaca, NY, 1987.

⁹⁹⁾ Cf. Nitsche, E.: *Alptraum Scientology*. Berlin 1995; Dönz, M.: *Im Netz von Scientology verstrickt ... und wie es mir gelang, mich zu befreien*. Frankfurt/Main 1994.

(2) Political aspects

The Commission's findings do not go much beyond what is already generally known to the public from articles in the press and reports by official bodies.¹⁰⁰⁾ On the grounds of certain remarks in Hubbard's writings and internal documents, the majority of the Constitutional Offices of the German states came to the conclusion, in 1997, that there are hard evidence suggesting that the organisation is pursuing unconstitutional aspirations. At their meeting on 5/6 June 1997, the ministers of the interior of the Federal Republic of Germany decided that the requirements for observation by the offices for the protection of the Constitution were thus met. In the 1997 Report on the Protection of the Constitution, these grounds were repeated, but no additional findings were presented.¹⁰¹⁾ Since the offices for the protection of the Constitution were instructed to submit a report to the Conference of German Ministers of the Interior on the findings of their observation "in a year's time". it can be assumed that more precise information on unconstitutional aspirations of the Scientology Organisation will soon be available. The Commission did not have any information that could not be assumed to be also accessible for the offices for the protection of the Constitution.

Irrespective of the question of presumed unconstitutional aspirations, the Commission investigated specific practices of the Scientology Organisation. Through statements made by witnesses and experts, the Commission was informed about the fact that in other countries (United States, United Kingdom, Denmark), the Scientology Organisation was running institutions that resembled penal camps ("Rehabilitation Project Force"), in which members were abused and detained against their will. According to these reports, the Scientology Organisation systematically violates human rights. We feel that it is urgently necessary to persuade the governments of the countries concerned, through suitable channels, that these reports should be followed up. There is no evidence of similar institutions in Germany. Moreover, according to press reports quoting the director of the Hamburg Office for the Protection of the Constitution, there is currently no information on offences committed by the "Office of Special Affairs" (OSA) which is regarded as the Scientology Organisation's secret service. However, critics and ex-members have been persecuted with "psycho-terror".¹⁰²⁾

(3) Economic aspects

The business activities of the Scientology Organisation deserve special attention. Both the very high fees for participation in courses and the claim to achieve economic success with Hubbard's "technologies" play a role in this

¹⁰⁰⁾ See, for example: Die Scientology-Organisation – Gefahren, Ziele und Praktiken. Published by the Federal Administrative Office, Cologne, on behalf of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth Affairs. 3rd revised edition, undated; Ministry of the Interior of the State of North-Rhine Westphalia (ed.): Scientology – eine Gefahr für die Demokratie. Eine Aufgabe für den Verfassungsschutz? Düsseldorf 1996.

¹⁰¹⁾ Report on the Protection of the Constitution, 1997, pp. 183–186.

¹⁰²⁾ "Hamburg warnt vor Scientology-Geheimdienst". Reuter, 10 April 1998 - 10:54.

connection. The combination of a decidedly commercial orientation and an ideological/metaphysical superstructure has provoked bold characterisations such as “capitalism as a religion” among the public.¹⁰³⁾ Other features related to this are the great pressure to achieve success and growth that is said to exist in companies associated with Scientology and the selection of employees according to criteria of efficiency and performance in keeping with the corporate goals.

Experts consulted by the Commission drew attention to the fact that persons associated with Scientology do have influence at local level, at least in the real estate sector. In some towns, estate agents are said to have used ruthless methods of putting pressure on tenants in the course of transforming rented accommodation into owner-occupied property. Companies associated with Scientology are thought to be involved in personnel and management training as well as the real estate business. It is assumed that the training activities allow the organisation to acquire influence in companies through multiplying agents. The extent to which this has happened in Germany and whether it is a significant or merely marginal phenomenon did not become clear even after the Enquete Commission had interviewed representatives of associations. There are no representative empirical findings on this point.

In their study on “Scientology in Management”. Angelika Christ and Steven Goldner come to the conclusion that there is no evidence suggesting that Scientology is “buying up industry”. The profits achieved by the organisation are plainly not great enough to permit investment and the purchase of good blocks of shares: “The annual income of the Scientology Organisation in Germany is about DM 55 million. [...] This would be a nice sum for a medium-sized enterprise, but it is not quite enough for a major group.”¹⁰⁴⁾

A survey carried out by an employers’ association among its members also indicates that the business activities of the Scientology Organisation play a fairly marginal role in the context of industry as a whole.¹⁰⁵⁾ Against the background of a total of about three million firms in Germany, the estimated number controlled by Scientology (200 to 300 in 1995, 500 in 1997) indicates that the organisation’s overall economic significance is limited.¹⁰⁶⁾

Representatives of the *Arbeitsgemeinschaft Selbständiger Unternehmer* (ASU – Association of Self-Employed Entrepreneurs) informed the Enquete Commission

¹⁰³⁾ Platthaus, A.: “Kapitalismus als Religion”. Article in *Frankfurter Allgemeine Zeitung*, 24 October 1997.

¹⁰⁴⁾ Christ, A. and Goldner, St.: *Scientology im Management*. Düsseldorf 1996, pp. 98 and 96.

¹⁰⁵⁾ A survey carried out on this subject in 1996 among all the members of the *Bund der Selbständigen* (Federation of Self-Employed Persons) in Baden-Württemberg resulted in a feedback of 1.4 percent. This cannot be regarded as a statistically viable random sample. Cf. Schenk, R.: *Unterwanderung durch Scientology: Schutzmaßnahmen für Unternehmen*. Published by *Bund der Selbständigen Baden-Württemberg e.V.*, Stuttgart 1997.

¹⁰⁶⁾ Cf. Kerner, H.-J. et al.: *Statusgutachten “Gefährdungspotentiale von Scientology”* (abridged version), Institute of Criminology of the University of Tübingen, no date (1997), p. 71 f.

that it had conducted a survey on Scientology among its 7,000 members asking for “relevant findings obtained in their own companies or in their professional environment”. Ten members responded to this survey. Two of them suspected that contacts between the industry concerned and persons believed to be associated with Scientology involved financial losses.

However, this does not mean that contact with Scientology involves no risks to individual companies or persons. In one company known to the Enquete Commission the internal conflict with a managing director influenced by Scientology is said to have assumed dimensions that jeopardised the firm’s existence. The managing director allegedly tried to implement Scientological thought and the obligation to train employees according to Hubbard’s methods in his own company and set the enterprise unrealistic growth objectives.

As Scientology has a very bad reputation in Germany, it may be a threat to a company’s survival to be associated with the organisation in public, even if it is only a case of unsubstantiated rumours.

(4) Interim summary

It was not the task of the Commission to check all the accusations against the Scientology Organisation in detail; nor did it have the means to do so. However, some of the accusations are so serious that they should be investigated by the relevant authorities. This applies in particular to the penal-camp-type facilities in other countries in which German citizens are said by lawyers and ex-members to be detained along with other persons.¹⁰⁷⁾ Where the accusations relate to criminal acts it is the task of the criminal prosecution authorities to ensure that they are investigated. However, the only way to prevent L. Ron Hubbard’s concepts and their anti-democratic elements from being spread is to inform the public and ensure that the liberal values of our Constitution are sustainably anchored in the population.

The information available also shows that Scientology is anything but typical. Scientology cannot be compared either with new religious movements or with “psychogroups” in general. At least, the criticisms that are in the foreground of the public debate such as the accusation of unconstitutional aspirations and efforts to achieve economic and political power do not apply similarly to other “psychogroups” or new religious movements. Nor does the openly anti-German propaganda from other countries, especially from the United States, have any parallels. This makes it necessary to counteract existing tendencies to quote Scientology as an example of the problems and conflicts associated with so-called sects and psychogroups.

¹⁰⁷⁾ Cf. also AFP of 4 July 1997 - 14:13: “Wissenschaftler: Scientology hat Strafager in USA und England”.

3. Occultism and esoterics; Satanism; pyramid selling systems

a. Occultism/esoterics

The Commission also investigated the field of occultism and esoterics. It was defined as belief in the effects of hidden forces and powers beyond sensory perception and the efficacy of lucky charms, faith-healers, astrology, divining with pendulums and fortune-telling with tarot cards. On the one hand this covers a field sometimes popularly described as “superstition”. On the other hand the term occultism includes practices outside the sphere of conventional medicine such as homeopathy and acupuncture.¹⁰⁸⁾

In other words, “occultism” (or alternatively “esoterics”) covers practices of very different kinds; their common denominator is that they involve ideas that cannot be proved scientifically. This is a feature they have in common with every religious faith. Although there may be good reasons for criticising esoteric or religious systems of belief on scientific and rationalist grounds, it was not the Commission’s task to express an opinion on this ideological conflict.

b. Satanism

Occultism and esoterics follow traditions that can be traced back to ancient times; they have had considerable influence on intellectual history into the modern age through figures such as Paracelsus (1493-1541) and Jacob Boehme (1575-1624).¹⁰⁹⁾ A clear distinction must be made between these and Satanism, which is a comparatively recent phenomenon of the modern age, especially the 19th and 20th centuries. The various forms of Satanism are clearly distinguishable from Christianity by the symbol of Satan, whereas occult and esoteric concepts are sometimes associated with Christian traditions, both historically and in the present day.

The groups associated with the subject of Satanism are extremely various. In particular the syncretising variant “youth Satanism” is visible to the public and often taken up by the media. However, there are also organised forms of Satanism that are scarcely noticed by the public and constitute a non-quantifiable fringe phenomenon in Germany.¹¹⁰⁾

Reports in the media on criminal acts with a Satanic background have attracted public attention. The Enquete Commission therefore questioned the state-level offices of criminal investigation on the subject of offences that might be related to Satanic practices. According to this information, offences with a Satanic background are not recorded separately in most of the German states. However, the local criminal investigation offices do have to report “important

¹⁰⁸⁾ Cf. Prokop, O. and Wimmer, W.: *Der moderne Okkultismus. Parapsychologie und Paramedizin, Magie und Wissenschaft im 20. Jahrhundert.* 2nd edition, Stuttgart 1987.

¹⁰⁹⁾ Cf. Faivre, A.: *Access to Western Esotericism.* New York, State University Press, 1994.

¹¹⁰⁾ On contemporary forms of Satanism, see Introvigne, M. and Türk, E.: *Satanismus. Zwischen Sensation und Wirklichkeit.* Freiburg, Herder, 1995.

events". As the Office of Criminal Investigation of the State of Brandenburg sees it, offences "with a Satanic background in cemeteries and churches" automatically fall into this category. The Commission does not know whether "important events" of this kind are recorded in all the German states.

In 1995, the Office of Criminal Investigation of the State of North-Rhine Westphalia made a systematic evaluation of offences possibly connected with occultism and Satanism and included incidents in other states. The report summarises as follows:

"Finally we may say that our findings suggest that the significance of Satanism and criminal offences connected with it is at present overestimated by the public as a result of lurid and sometimes unobjective reports in the media. Even when allegations of occasional serious crimes are taken into account – which it has not yet been possible to verify – Satanism is a qualitative rather than a quantitative problem, if it is a problem at all.

The staff of the criminal investigation departments agree, in their estimates, that the number of offences associated with 'pubertal Satanism' on the part of young people seems to be increasing."

In their opinion the findings do not "at present" reveal a need for concrete or co-ordinated action by the criminal prosecution authorities. However, "all activities and trends in this field should be observed very carefully, especially with regard to possible hazards to young people".¹¹¹⁾

The Office of Criminal Investigation of the State of Baden-Württemberg came to a similar conclusion:

"The qualitative and quantitative features of this phenomenon do not at present seem to justify establishing special reporting services.

We feel that from the criminological point of view the offences concerned are often 'youthful misdemeanours' and thus temporary delinquency that is likely to lose significance as the personality of the suspected persons develops."¹¹²⁾

In some respects the findings of the criminal investigation offices contradict those of the advisory centres on sects. Even if it is not possible to prove a suspected connection between criminal offences and Satanic concepts and practices, a careful observation of this field would seem wise in view of public concern.

In our opinion the information submitted to the Commission does not reveal a connection between the various forms of such "youth Satanism" and "new reli-

¹¹¹⁾ Landeskriminalamt Nordrhein-Westfalen: Sonderauswertung "Okkultismus/Satanismus" Hintergründe, Straftaten, Bewertung. April 1995, p. 40 f.

¹¹²⁾ Statement presented by the Criminal Office of Investigation of the State of Baden-Württemberg, on 30 June 1997, (Doc. 13/0163), p. 4.

gious and ideological movements, so-called sects and psychogroups”.¹¹³⁾ The Commission had no information on organised forms of Satanism in Germany and criminal offences connected with them.

c. Pyramid selling systems

The Commission also went into the subject of certain forms of marketing – so-called pyramid and multi-level marketing systems.¹¹⁴⁾ It emerged that some of these enterprises seem to work with dishonest practices. In this context, there appears to be a need for action in the field of commercial law and the law on competition.

In our opinion, the information submitted to the Commission does not justify the classification of these commercial enterprises as “new religious and ideological movements, so-called sects and psychogroups”¹¹⁵⁾ or to suspect any connection with new religious and ideological movements.

III. Assessment of the findings

The emergence of new religious and ideological movements is a normal phenomenon in modern countries in which religion and belief are not subject to control by governmental bodies. A consequence of the pluralism of modern societies, where great importance is attached to diversity of opinion and the right to shape one’s own life, is that individuals are allowed wide scope to decide for themselves. Involvement in new religious movements is an expression of this freedom to decide. The same applies to interest in new and unconventional methods of personality development, therapies and sensitivity training. The vast range of “products” on the “psychomarket” meets this demand.

1. Difficulties involved in the assessment of religious and ideological conflicts

Here, as in all other areas of society, the freedom to act on one’s own responsibility involves the risk of making wrong decisions. The freedom of the individual is inseparably linked to the individual’s responsibility for his own actions. It is not easy to assess these risks. The question of how far government or society can and should prevent or minimise personal risks leads us into fields where different political and socio-ethical opinions conflict. On the one hand, there is the

¹¹³⁾ Cf. the German *Bundestag*’s decision to establish the Commission, *Bundestag* Doc. 13/4477, p. 3.

¹¹⁴⁾ For details, see Chapters 5.3.3 and 5.3.4 of the Report adopted by the majority of the Commission members, to which we refer in this connection.

¹¹⁵⁾ German *Bundestag*’s decision to establish the Commission, *Bundestag* Doc. 13/4477, p. 3.

ideal of the free, responsible citizen who is in a position to judge the consequences of his actions and accept responsibility for them. On the other hand there is the conviction that it is part of the social responsibility of government to prevent individuals from exposing themselves to risks whose extent they may not be able to assess. If the former view is taken too far it results in a loss of social solidarity. If the latter is taken too far, it restricts the individual's free will.

Any assessment of the risks religious and ideological movements and communities may involve is complicated by a further difficulty: as a rule, the situation is viewed differently from outside and inside. What appears from outside to be a risk involving psychological dependency and loss of contact with reality appears from inside to be a chance of understanding oneself and the world better and experiencing life in a community of like-minded people. The opinions on this point are strongly influenced by ideology. To ignore the fact that conflicts with new religious and ideological movements are also conflicts between different convictions, sets of values and views of the world would be to leave an important element of social reality out of the discussion.

Against this background it is wise to exercise restraint. Government must be aware of its limitations. It is not in a position to decide what is useful or harmful to the individual if "useful" or "harmful" is a matter of ideology or religious belief. And it must not take sides if this question is disputed in society. This is no easy matter, for the representatives of government are themselves part of this society, with convictions and values of their own. However, the State is the State of all its citizens. "Nobody shall be prejudiced or favoured because of their sex, birth, race, language, national or social origin, faith, or religion or political opinions" (Art. 3 (3) of the German Constitution). In social conflicts in which the representatives of government and the people have beliefs and religious and political views of their own this is a very demanding precept.

It means that where government has any reason at all to become involved in such conflicts, it is necessary to set limits. Government can and must ensure that its laws are observed. Government can and must help those who seek and need help. However, it must remain impartial. It cannot and must not make the arguments of one party its own and neglect those of the other side. And it must only base its judgement on what it has found to be substantiated facts.

The German *Bundestag* established the Enquete Commission to investigate "the problems emanating from new religious and ideological movements, so-called sects and psychogroups". in particular "the increasing societal significance of the emergence and growth of such organisations and the dangers and conflicts provoked by them":¹¹⁶⁾ The following chapters summarise the results of the Commission's work from our perspective with regard to the dangers and conflicts arising from the new religious and ideological movements. We expressly exclude areas that cannot be regarded as new religious and ideologic-

¹¹⁶⁾ *Bundestag* Doc. 13/4477, p. 3.

al movements, in particular pyramid and other commercial marketing systems. We also exclude the Scientology Organisation, since it is in many respects a special case – as explained above – and is therefore dealt with separately.

2. Conflicts concerning new religious and ideological movements

In a country based on liberal principles, no person can and must be denied the right to criticise convictions, values and ways of life he considers wrong. Nor must any person be denied the right to cling to these convictions, values and ways of life even if they are criticised. Such conflicts can and must be endured as long as they take place within the scope permitted by the law. In a pluralistic society whose economic, political and cultural dynamics is closely linked with competition and rivalry, it would be unreasonable to define conflicts as a societal problem as such.

There is no doubt that conflicts exist in connection with new religious and ideological movements. By and large they fall into two categories: (1) conflicts between new religious and ideological movements, or their members, and outsiders; (2) conflicts within new religious and ideological movements.

For society as a whole, the first category is by far the more important. As a rule, the opposing parties in such conflicts and the critics of new religious and ideological movements are representatives of the established Churches, especially experts on sects and ideological questions; action groups made up of parents and persons affected, along with other private organisations; individual parents and relatives of members of new religious and ideological movements; some former members, and finally certain journalists. In a few cases, governmental bodies also become involved as a party to the conflict.

The conflicts are characterised by a mixture of antagonistic interests and ideologies and also personal distress. For those involved, especially those personally affected (on both sides), such conflicts are often severe and painful. Nevertheless, these conflicts are not a fundamental social problem or – worse still – a danger to society. This is true at least as long as the conflicts are fought out with methods appropriate to a constitutional state and within the framework permitted by the law. By and large this seems to be the case. Where it is not the case, government must intervene. The necessary laws already exist.

The same applies, in principle, to the second category. Conflicts within new religious and ideological movements cannot be regarded as a problem in themselves either. Such conflicts are common in other social contexts too. This is expressed clearly in one of the reports submitted to the Commission: “The contexts observed in this study suggest that the potential for conflict and the conflicts that actually arise should be viewed in comparison with other social groups and relationship structures characterised by social proximity, intensive interaction, hierarchical dependency or concrete expectations and hopes. Again

and again, membership in groups in ideological milieus was compared with marriage and family structures.”¹¹⁷⁾

Conflicts are not, in themselves, a social problem that requires intervention by government. However, conflicts may be indicators of social problems that demand intervention. This makes it necessary to investigate the concrete accusations raised by the conflicting parties against each other. On this basis, it is then possible to assess what action, if any, has to be taken.

a. Accusations raised against new religious and ideological movements

The report approved by the majority of the Commission’s members summarises the accusations raised against new religious and ideological movements from the point of view of “Potential for conflict” (Chapter 3.3.5). The example of “Potential for conflict” illustrates the difficulties involved in assessing ideological conflicts. The following paragraphs therefore deal with the main accusations from the point of view of whether they demand action on the part of government and take the actual findings of the Commission into account:

(a) “Pursuit of unconstitutional objectives”. The Commission did not have any information confirming that “new religious and ideological movements seek to bring about societal changes that are not compatible with a constitutional democracy, e.g. abolition of the equality of the sexes and all individuals [before the law] by introducing a caste system” in Germany. This does not suggest that there is any need for governmental action.

(b) “Violations of the law”. There was information suggesting that there were infringements of German labour and social security legislation; however, this was not examined in detail. In principle, it is rather unlikely that members of new religious and ideological movements do not violate laws as well. Since there are already legal provisions for sanctioning such behaviour, there is no need for governmental action.

(c) “Totalitarian power structure inside the organisation”. The Commission had no evidence suggesting that new religious movements “restrict or eliminate the constitutionally guaranteed rights of their members”. This would be a definite violation of the law which would have to be punished by governmental authorities. It can be safely assumed that there are internal power structures in new religious and ideological groups and communities. In this respect, they do not differ from other groups. The Commission did not define what constitutes “totalitarian” power structures. There was no evidence suggesting that physical force was involved in the exercise of power.

¹¹⁷⁾ Veesser, W.: Empirische Forschungsarbeit für die Enquete-Kommission “Sogenannte Sekten und Psychogruppen” zum Thema “Aussteiger, Konvertierte und Überzeugte – kontrastive Analysen zu Einmündung, Verbleib und Ausstieg in bzw. aus radikalen christlichen Gruppen der ersten Generation.” Quoted from the unpublished report, p. 38.

(d) “A negative effect of religious and ideological doctrines”. As far as it is possible to tell from the scientific studies carried out at the Commission’s request, the doctrines represented by the new religious and ideological movements do not have a negative effect on the physical or mental health of the members. In this respect we refer to the results presented in the section “Individual aspects: conversion, membership and ‘exit’”. There is no doubt that the doctrines of some new religious and ideological movements are regarded as wrong by those who hold different views, and may therefore be interpreted as “ideologisation” or “causing a loss of contact with reality”. This accusation is not unusual in ideological and political conflicts and does not create a need for governmental action.

(e) “Provocation of conflicts to promote internal solidarity”. It is not unlikely that such motives sometimes exist, although the Commission had no evidence to this effect. Such strategies can be generally observed in many groups – e.g. in political parties; they do not create a need for governmental action.

(f) “Mixing of religious objectives with business activities, or their use as a pretext for pursuing economic and political objectives”. There was evidence suggesting that some new religious movements were also commercially active. This also applies to commercial providers of personality development courses and life-counselling services. In a liberal democratic society, no pretext is needed for pursuing economic and political objectives. Laws governing commercial activities of religious and ideological organisations already exist; so there is no need for action in this field.

The above examples indicate some fundamental problems of assessment. First it should be said that the fact that the Commission did not have information that would justify regarding the accusations raised as facts does not mean that they should be considered untrue or unfounded in principle. It is conceivable, for example, that physical force is or has been used in some cases.¹¹⁸⁾ In principle there is no reason to assume that there are fewer infringements of the law in the context of new religious and ideological movements than in other social contexts, or that the members are less susceptible to errors and misconduct than other persons. However, nor is there any reason to assume that infringements of the law, misconduct and errors are more frequent than in the rest of society. Certainly the Commission had no information that would lead to such an assumption.

It would not therefore be appropriate to accumulate accusations that may be true in one case or another and use them to define new religious and ideological movements as a social problem area. The Commission’s work shows that social problems certainly exist, especially in the personal sphere. However, it does not show that the problems occur more frequently than in similar social contexts, or are basically any different.

¹¹⁸⁾ We refer to the known cases in other countries, in particular the Sun Temple group, Heaven’s Gate and Aum Shinrikyo. There are press reports of cases in Germany in which physical force was used in connection with exorcism.

It is necessary to define social problems in concrete terms in order to solve them. The studies prepared at the Commission's request show that as a rule it is not correct to seek the causes of the problems observed in the structures or doctrines of new religious or ideological movements alone. On the contrary, the specific relationship between the individual and the group – that may or may not “fit” – must be taken into account in each case. It becomes more difficult to solve problems of this nature if their causes are sought in the potential for conflict attributed to some new religious and ideological movements. The reports on the counselling situation submitted to the Commission make it plain that professional counselling usually follows a different approach: “In all the counselling processes it became evident that the cult context remained in the foreground until the clients were in a position to address their own problems and start solving them. From this point onwards the cult problem shrank to insignificance.”¹¹⁹⁾

Any assessment of the accusations brought against new religious and ideological movements must take the complex structure of conflicts into account. General experience shows that the parties to conflicts blame each other and accuse the other side of being “a source of conflict”. This means that we have to investigate the accusations to find out whether or not they are true. We must also listen to the other side.

b. Societal conflicts and protection of minorities

As a rule, the accusations against the new religious and ideological movements are rejected by the representatives of these communities as untrue. In one case (ISKCON), it was admitted that no-one – including ISKCON's own members – is without faults, and that it is necessary to eliminate such faults if they are recognised. On the other hand the representatives of new religious and ideological movements also criticised their opponents. In particular, some Church, governmental and private counselling and information centres were accused of provoking or aggravating conflicts through biased criticism. There were also complaints that the media often convey a distorted or incorrect image that contributes to a climate of rejection and defamation of new religious and ideological movements in society.

What has been said above in connection with the structure of conflicts applies here, too. The recriminations are usually mutual. The Commission was not in a position to examine the accusations made by the representatives of new religious and ideological minorities for their real substance. Nor was it able to check the accusations against new religious and ideological movements in this respect. In both cases there is potential for conflict, i.e. it is possible that conflicts may arise if the content of the various accusations proves to be true.

¹¹⁹⁾ *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: Beratungsbedarf und auslösende Konflikte....Kurzdarstellung der Ergebnisse, Point 10.*

This makes it difficult to assess the conflicts. One example: what is more dangerous – the conflicts that may arise from the fact that a religious or ideological movement with a strong sense of mission appears on the scene and shows hostility towards its environment; or the conflicts that may arise from the fact that a group of “sect opponents” with a strong sense of mission appears on the scene and shows hostility towards new religious movements? Clearly, it is difficult, if not impossible, to draw conclusions about real dangers or evils from the potential dangers that have been found to exist. This can only be done on the basis of concrete findings that show whether and to what extent possible combinations of circumstances actually occur and create risks.

This led the Enquete Commission to have empirical research carried out to help answer the question.¹²⁰⁾ The findings were surprising in that it was not possible to state that new religious and ideological movements constitute a hazard to their members. These findings are not representative, but an evaluation of representative studies also requested by the Enquete Commission produced the same result.¹²¹⁾ Naturally these findings do not permit conclusions with regard to individual cases. However, they are the only results obtained by reliable methods that were available to the Commission. We must not ignore them when taking stock and assessing the situation. As far as it is possible to tell from the studies carried out at the Commission’s request they suggest that new religious and ideological movements are not a source of danger to individuals.

This does not mean that there are no cases in which dangers to individuals exist in the context of a new religious movement. In any social context there are cases where individuals are at risk. However, in view of a public discussion in which fears are expressed that so-called sects and psychogroups – i.e. new religious and ideological movements – are in general a danger to the individual, and that their growth is therefore a social problem, we consider it necessary to emphasise different points of the assessment from the majority of the Commission’s members. As we see it, the most important result of the Commission’s work is that it is not possible to confirm the public’s fears.

We feel that it is important to stress this finding because we think it is necessary to counteract the tendency, revealed by public discussion, to regard new religious and ideological movements as socially disruptive influences. Religious and ideological minorities – and that is what we are dealing with here – are a part of our society. Their members are citizens of this country. As such, they have a right to correct the image that exists among the public if the Commission’s work reveals that such correction is necessary. Many representatives of

¹²⁰⁾ Aussteiger, Konvertierte und Überzeugte. Kontrastive Analysen zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus neureligiösen und weltanschaulichen Milieus und Gruppen sowie radikalen christlichen Gruppen der ersten Generation, by Prof. Dr Werner Fuchs-Heinritz, Dr Albrecht Schöll, Prof. Heinz Streib, Ph.D. and pastor Wilfried Veaser.

¹²¹⁾ Murken, S.: Soziale und psychische Auswirkungen der Mitgliedschaft in neuen religiösen Bewegungen unter besonderer Berücksichtigung der sozialen Integration und psychischen Gesundheit.

new religious minorities have expressed the concern that religious minorities are being stigmatised socially as a result of the public discussion of “sects”. Their experiences and fears have to be taken just as seriously as the experiences and fears of those who criticise the new religious and ideological movements.

c. Summary

We also consider it necessary to point out that in many respects it was not possible to confirm the definition of the problem which all the parties in the German *Bundestag* (including the political party we represent) took as their starting point when the Enquete Commission was established. It was not confirmed that the emergence and growth of new religious and ideological movements is “a growing and complex source of danger and conflict”.¹²²⁾ This means that there is no reason for government to seek ways of preventing people from committing themselves to new religious and ideological movements or ways of encouraging people to leave such communities. Government must restrict its activity to helping individuals in specific cases where help is necessary.

As long as new religious and ideological movements develop within the framework permitted by law, without violating the law, they do not constitute a problem of public order. Religious and ideological conflicts that arise in this context can and must be settled outside the government’s sphere of competence. Government can only fulfil its responsibility of protecting the rights of all its citizens if it remains neutral in such conflicts and ensures that the existing laws are obeyed.

The present conflicts are an indication that the current process of rapid social and economic change and the tensions and insecurities it involves has triggered processes of cultural change as well. Religion and ideology are not exempt from this. The globalisation of cultural relationships and the pluralisation of ways of life within society are developments that can be viewed from different angles but scarcely prevented. All change is a source of risks. However, it also offers opportunities. The diversity of religions and ideologies – old and new – and the competition between them offers individuals a chance to decide freely and on their own responsibility; and it offers society a chance of open discussion in which the individual can ascertain his own position in a critical comparison with the convictions of those who are not of the same mind. These opportunities should receive as much attention as the risks.

3. Scientology

It has already been explained in the descriptive part of this minority opinion that the Scientology Organisation has, in many respects, a special position within

¹²²⁾ *Bundestag* Doc. 13/4477, p. 1.

the new religious and ideological movements. This is confirmed by the fact that the Commission did not classify the organisation as a new religious movement, nor did it decide whether to speak of an ideological movement. The Commission did not, however, feel obliged to go into the question of whether it was to be classified as a religious or ideological movement, a “psychogroup” or a commercial enterprise, since this was irrelevant to its work.

It has already been explained in detail that the Commission had access to a large amount of information that gives cause for concern and criticism. In our opinion the most serious elements are the reports on institutions resembling penal camps in certain countries abroad, in which violations of human rights are said to take place. Like many other accusations against Scientology, these have no parallels in other new religious and ideological movements. This is why we consider it necessary to deal with Scientology separately. We have the impression that the greater part of the criticism and concern expressed by the public in connection with “sects” refers to Scientology. The public’s perception of the “sect problem” is dominated by its perception of Scientology. However, as Scientology is neither representative nor typical of new religious and ideological movements and “psychogroups” – on the contrary, it is highly atypical – there is a risk of grave misunderstandings. Religious and ideological minorities in general may be suspected of having structures similar to those of Scientology.

The accusations against the Scientology Organisation are so grave that all the means open to a constitutional democracy must be employed to investigate these allegations. It is inexplicable that there are accounts of institutions resembling penal camps in Member States of the European Union (the United Kingdom and possibly Denmark) and in the United States without it having been possible to persuade the governments of the countries concerned to bring the matter to light. Similarly, it must be investigated whether serious violations of the law are or have been committed by Scientology in Germany. All the legal instruments for doing so exist already and should be used.

This is a challenge to a constitutional state in which every citizen is initially presumed innocent. This assumption includes the Scientology Organisation and its members. It is therefore in the interests of the persons under suspicion as well as those of the public that suspected criminal acts should be investigated and prosecuted. Investigations by the public prosecutors’ offices also serve as a protection against unfounded suspicions. Here there may be a need for action by the authorities responsible for criminal prosecution.

As long as criticism of the Scientology Organisation is not focused on suspected illegal acts but on Scientology’s view of the world and human life, there is limited scope for governmental action. In principle, no person must be denied the right to adopt views that are disapproved of by the majority. However, if these views and doctrines are incompatible with constitutional interests and standards or with the basic ethical consensus in society, it is necessary to take active steps to investigate these issues. This calls for extensive information to

be made available to the public and for efforts to strengthen the liberal and democratic values inherent in the German Constitution.

4. The problem of psychological destabilisation and manipulation

Within the Commission, there was much discussion with regard to the problem of potential psychological manipulation by means of so-called psychotechniques. This discussion was necessary because it is a common impression among the public that individuals do not decide for themselves to become members of a new religious movement; they are thought to be trapped by such organisations practically without an act of will and robbed of their freedom to decide by means of subtle techniques. All the investigations carried out at the Commission's request conclude that there is no confirmation of this assumption. In this context we refer to the research results described in the section "Individual aspects: conversion, membership and 'exit'". There is no evidence suggesting that new religious movements use techniques of social control and psychological manipulation that differ from those of other groups and communities.

A different problem is that of the psychotechniques used by "psychogroups" whose explicit objective is to bring about personality changes or changes in the psychological disposition of their clients. This is what clients who commit themselves to such groups are seeking, for they feel a need to improve their own psychological situation and have corresponding expectations. Here, as in psychotherapy and sometimes in education, certain methods and techniques are used with the intention of promoting development in the desired direction. This is a precarious situation in that the therapist or teacher may promote developments with consequences the client is unable to assess. It means that the client must have great confidence in the teacher or therapist. However, confidence can, in principle, be abused. The Commission had no information on whether and to what extent abuse occurs in this field. Nevertheless, it would seem useful and necessary to try to prevent possible undesirable developments by establishing, codifying and supervising professional standards.

The Commission also discussed the much more fundamental problem arising from the possibilities of influencing and conditioning human beings in a specific direction. Techniques of this kind are used in personality training, for example management training courses, to increase individual efficiency. However, they are also used by some pyramid marketing organisations and in certain sales strategies with the aim of weakening the critical faculties of individuals. There is felt to be a danger that influencing techniques based on behavioural psychology will be used to a much greater extent in future, and that human beings will be manipulated in this way.

Since there was no evidence that techniques of this kind are used in new religious and ideological movements, the Commission did not go into the matter

any further. However, one member of the Commission did point out that the training methods used in the Scientology Organisation should be viewed in this context. The Commission had no more detailed information.

5. Summary of the assessment

On the basis of the available information we have come to the conclusion that, in general, new religious and ideological movements in Germany do not pose any danger to individuals, society or government. The risks to the individual identified in connection with membership in a new religious or ideological movement are within the limits of what can be observed in other close emotional groups and relationships.

It cannot be overlooked that numerous conflicts have arisen in connection with new religious and ideological movements, and that they persist. A large proportion of these conflicts takes place within families. As far as it is possible to tell from the information available, such conflicts usually have to be interpreted against the background of disturbed family relationships.

Moreover, there are definite signs of conflict in the sphere of public discussion. Some new religious and ideological movements are criticised severely in the media and in public statements. The derogatory term “sects” is a social stigma for new religious movements and religious minorities in general.

In our opinion, the information available does not justify describing existing conflicts as being caused by new religious and ideological movements alone. Conflicts are interactive processes, and their causes and the course they take must be determined in each case individually.

In principle we do not consider family and social conflicts that take place within the framework permitted by law a threat to public order that requires intervention by government. However, we do feel that there is a need for governmental counselling services that help individuals cope with personal or family conflicts.

There is no doubt that personal misconduct and breaches of the law exist in new religious and ideological movements as they do elsewhere. However, there is no evidence that they occur more often there than in similar social contexts. When viewed in the context of society as a whole they cannot be regarded as typical of this sector.

Where undesirable developments occur it is necessary to name them specifically. Attributing them to the sphere of “so-called sects and psychogroups” in general encourages the tendency to use suspected or actual irregularities in one group as a reason for criticising new religious and ideological movements as a whole.

On the basis of this assessment we consider the existing laws adequate for reacting in a suitable manner to problems and conflicts occurring in individual cases.

For this reason our recommendations for action only contain measures that do not require amendments to existing laws or the introduction of new ones.

IV. Recommendations for action

1. Conflict reduction and promotion of religious and ideological tolerance

The results of the studies carried out on behalf of the Enquete Commission have shown that conflicts with and within new religious and ideological movements cannot be ascribed to one or the other of the conflicting parties only. The disputes that arise in this connection often radiate beyond the circle of those immediately involved – sometimes because of crude generalisations in the media. Such conflicts can escalate into lengthy, entrenched legal disputes that may involve individual questions of custody in families or the charitable status of communities. In pluralistic societies it is impossible to prevent the occurrence of social conflicts. However, this raises the question of whether such conflicts cannot be settled through a willingness for dialogue rather than by having recourse to the overtaxed courts.

We therefore suggest that mediation centres should be established that should be run by major players in society. Like a “round table”, they could provide the organisational framework for a dialogue designed to defusing conflicts in religious matters. Ideally, mediation centres try to achieve constructive conflict settlements that are actively supported by the parties instead of just being passively accepted. However, in no field is there a guarantee that conflicts can be settled by mediation. This also applies to religious tensions that have such heterogeneous causes as rivalry between different religious faiths or standards that differ from one generation to another.

There are already institutions similar to mediation centres in other countries, or they are under discussion there.¹²³⁾ In the United Kingdom, the major religious communities and other organisations such as the Baha’i are represented in the Interfaith Network. The groups that make up this institution have agreed on common objectives: they seek to promote tolerance and mutual understanding. They aim to stem religious conflicts and prevent abuse and undesirable developments from occurring in the name of religion. If a group takes part in the Interfaith Network it signals to the public that it identifies with the above objectives.

In France, an “Interministerial Observation Centre” has been established with a view to religious and ideological minorities. It is attached to the Prime Minister’s

¹²³⁾ The following information is based on a description provided by Hans Gasper, one of the expert members of the Enquete Commission on “So-called Sects and Psychogroups”.

Office and has an interdisciplinary staff of lawyers, sociologists and representatives of other fields. The French Conference of Bishops has suggested including representatives of the major religious communities such as Christianity, Judaism, Islam and Buddhism, representatives of ideological groups, humanists, and representatives of self-help groups in this "Observation Centre".

In Germany, numerous Churches already work together in the Association of Christian Churches (ACK), along the lines of ecumenical Christianity. It would be desirable for the mediation centres to include other religious and ideological communities, self-help groups of affected individuals, religious scholars, lawyers etc. as well as these organisations. Membership or guest status could be used to express the fact that organisations can change in accordance with the objectives of the mediation centre.

We therefore suggest that the societal players concerned should enter a dialogue with the objective of reducing conflicts, strengthening informal approaches that already exist in this field,¹²⁴⁾ and creating the suitable organisational framework for mediation centres.

Moreover, it is the task of government to promote a climate of religious and ideological tolerance. We share the opinion of the Special Rapporteur of the United Nations, Abdelfattah Amor, that government should play an active role – over and above everyday political events – in "developing an awareness of the values of tolerance and non-discrimination in the field of religion and belief".¹²⁵⁾ We recommend that governmental authorities should treat information on possible abuse and risks that may exist in connection with religious and ideological movements and promotion of tolerance towards such groups as objectives of equal importance.

2. Avoiding the use of the term "sects" in statements by the government

When the derogatory term "sects" is used publicly to describe religious and ideological communities, it has the effect of acting both as an accusation and

¹²⁴⁾ In Hesse, a "round table" is currently being prepared, consisting of representatives of the Protestant Academy, the Study Group on Ideological Questions of the Protestant Church in Hesse-Nassau, theologians and religious scholars, and a sociologist. It is proposed to hold discussions with groups including Jehovah's Witnesses, the Mormons and the Hare Krishna movement. Cf. Huth, F.: Beratungsbedarf im Umfeld von religiösen und weltanschaulichen Gemeinschaften unter besonderer Berücksichtigung professioneller Anforderungen an die Beratung, Gutachten für die Bundestagsfraktion Bündnis 90/Die Grünen, March 1998, p. 31.

¹²⁵⁾ United Nations Economic and Social Council, Commission on Human Rights, Fifty-fourth session. Item 18 of the provisional agenda, Implementation of the Declaration on the Elimination of all Forms of Intolerance and of Discrimination based on Religion or Belief, Report submitted by Mr Abdelfattah Amor, Special Rapporteur, in accordance with Commission on Human Rights Resolution 1996/23, Addendum: Visit to Germany, 22 December 1997 (E/CN.4/1998/6/Add.2), p. 26.

condemnation. Although this is not the case in the immediate legal sense, it is perceived to be so by society. A religious or ideological community described as a “sect” is a target for disapproval or even contempt. In the eyes of the public it is often a general danger and threat. This is true even if the organisation and its members have done no wrong in the legal and moral sense.

Several small religious and ideological movements told the Enquete Commission that they were disparaged by general warnings against “sects” or individual groups. It emerged that negative characteristics associated with the term “sect” are often attributed to religious and ideological communities that are not meant. This may result in disadvantages to members of the groups in their personal relationships and careers, and sometimes even in dealings with public authorities.

We recommend that terms such as “sects” or “so-called sects” should no longer be used in government statements or social publications. Efforts should be made to avoid derogatory generalisations that subject the whole spectrum of religious and ideological minorities to undue overall suspicion.

The terms “new religious communities” or “new religious movements” and “new ideological movements” are therefore preferable for the purposes of neutral description and analysis. Where it is advisable to issue warnings in the context of government information work, no generalisations should be made. Instead, the specific cases meant should be stated.

3. Establishment of a foundation

We recommend establishing a foundation. Its objective would be to acquire and disseminate substantiated information on new religious and ideological movements. It should investigate conflicts in connection with new religious and ideological communities and mediate where necessary. The foundation should document information on such organisations and promote measures directed towards preventing or minimising conflicts.

We advocate a foundation in the form of a public-law institution with financial support from the German Federal Government and the individual states. At the same time the foundation should be free to accept donations from third parties.

The idea of a foundation springs from the intention that government, which is neutral in matters of belief and ideology, should play the role of a mediator in social conflicts and ease tensions. The composition of the foundation’s bodies must therefore reflect the fact that representatives of new religious and ideological movements are included in the social dialogue.

In addition to representatives of the *Bundestag*, the German Federal Government and the *Bundesrat*, the Governing Board of the foundation should therefore include scientific experts and representatives of socially relevant organisations, including in this context the Catholic Church, the German Protestant Church, Free Churches, the Jewish community, the Islamic community, new reli-

gious and ideological communities, groups of persons directly affected and the German Press Council.

In addition to an Executive Board to be elected by the Governing Board, the foundation should have advisory boards on special subjects. Their tasks would be carried out in the fields of research, activities abroad, skill upgrading courses, and conflict moderation.

4. Funding of research

Those who go into the subject of religious and ideological minorities in Germany find themselves confronted with the general problem of having to assess a highly complex range of organisations on the basis of inadequate information. Much of the information in general circulation is not based on established facts; it consists of opinions disseminated by opponents of new religious communities or by the movements themselves. What is lacking in Germany is a systematic, methodologically well-founded verification of this information, taking into consideration international research findings.

The lack of an adequate scientific basis makes it very difficult for the interested public to acquire reliable information on individual religious communities. When false information is spread, it can have serious consequences for the members of the religious communities concerned, even to the extent of restricting their fundamental right to practise religion undisturbed. However, conversely, contact with certain groups may involve risks to the individual if false information is given. This means that governmental institutions whose purpose is to inform the public have a special duty to exercise care and to improve the present inadequate level of information available.

In Germany, the scientific discussion with regard to the phenomenon of new religious and ideological communities is often carried out against the background of the much broader research carried out in the United States and the United Kingdom. However, because of the different cultural, social and political conditions, it is not entirely satisfactory to relate these research findings to the situation in Germany. This means that there is a need for separate research efforts in Germany.

We therefore suggest that the *Deutsche Forschungsgemeinschaft* (German Research Foundation) should introduce “new religious and ideological movements” as an interdisciplinary funding priority. This field of research should also be given due consideration in the structural plans of universities.

5. Counselling centres

Personal and family conflicts and crises that may arise with members of new religious communities or their relatives are sometimes such a worry to the per-

sons involved that they seek professional help. The investigations carried out on behalf of the Enquete Commission have shown that the conflicts can only be analysed and solved if the individuals' biographical situation is taken into account. While current or former membership in a new religious or ideological community is an important factor, it cannot usually be regarded as the cause of the problems that have arisen. This will have to be taken into account during counselling.

“A holistic approach to counselling covering all spheres of life is more satisfactory than an offer to help individuals cope almost exclusively with the immediate group experience. This is the only way to give advice and guidance to those who seek it in the context of their real social and biographical situation, setting aside personal or social stereotypes or projections against religious fringe groups”.¹²⁶⁾ Beate Roderigo arrives at a basically similar conclusion in her report on the “Qualification of Counsellors in the Sensitive Field of So-called Sects and Psychogroups: Criteria and Strategies”. which was also prepared on behalf of the Enquete Commission. Moreover, she points out that it is usually essential to have good knowledge of the special situation prevailing in religious and ideological communities. This is also emphasised in the report prepared by the *Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen* (Information and Counselling Service for Sects and Ideological Issues of the Diocese of Aachen). However, it is also pointed out that “the effort required to enable counsellors to give sound advice on ideological issues would be unreasonable, relative to the expected demand for such advice”.¹²⁷⁾

We therefore recommend that psychological counselling on new religious and ideological movements should be incorporated in the overall psychosocial counselling system. There should be close co-operation with experts who have the necessary background knowledge of religion, esoterics and “psychogroups”.¹²⁸⁾ In this connection, the counselling centres of the Churches would also have an important role to play.

We also feel that it is necessary to make a clear distinction between counselling and information in the services offered. As far as the assessment of new religious and ideological movements is concerned, the advice given must be neutral.

¹²⁶⁾ Veese, W.: Empirische Forschungsarbeit für die Enquete-Kommission “Sogenannte Sekten und Psychogruppen”. Aussteiger, Konvertierte und Überzeugte, Projektteil I: Attraktivität radikaler christlicher Gruppen der ersten Generation, p. 54

¹²⁷⁾ Beratungsbedarf und auslösende Konflikte im Fallbestand einer sog. Sektenberatung anhand von Fallkategorien und Verlaufsschemata, p. 49.

¹²⁸⁾ For details, cf. Huth, F.: Beratungsbedarf im Umfeld von religiösen und weltanschaulichen Gemeinschaften unter besonderer Berücksichtigung professioneller Anforderungen..., *ibid.*, and Roderigo, B.: Zur Qualifizierung von Beratungsarbeit im Spannungsfeld sogenannter Sekten und Psychoruppen: Kriterien und Strategien; Gutachten im Auftrag der Enquete Commission “Sogenannte Sekten und Psychogruppen”. 1998.

We disagree on principle with granting state aid to private information centres. Where the government considers it necessary to inform the public on the subject of new religious and ideological communities, this must only be done on government's responsibility. We do not consider it justifiable either politically or legally to delegate these tasks and the responsibility they involve to private institutions. Any information on religious communities given by government must be against the background of the fundamental right to exercise religion undisturbed. Such work demands special care and responsibility. It must not, therefore, be delegated to private information centres.

6. Self-supervision instead of an Act on Life-counselling Services

Last year, the *Bundesrat* introduced a bill on "commercial life counselling services".¹²⁹⁾ This term refers to paid services designed to "identify or improve" an individual's psychological well-being or mental abilities. The proposed law is intended to prevent consumers from hastily entering agreements with detrimental effects. Moreover, it aims to protect the users of such services against the "abuse of techniques by which their awareness, mind and personality can be manipulated".

It is assumed that this law on psychological assistance and counselling will apply to private service providers such as therapists, yoga and meditation teachers, astrologists, painting and colour therapists, kinesiologists and staff trainers. Physicians, psychiatrists, non-medical practitioners, adult education centres and the major Churches do not fall within the scope of the law. This appears to be the case even if they use the same methods as the above private service providers.

The German Federal Government¹³⁰⁾ and the Protestant and Catholic Churches¹³¹⁾ as well as the service providers¹³²⁾ concerned have issued statements criticising the above initiative by the *Bundesrat*. We share this criticism and reject any legislation in the field of for-profit life counselling.

¹²⁹⁾ Bill concerning contracts in the field of commercial life-counselling services. *Bundesrat* bill, Doc. 351/97 of 19 December 1997.

¹³⁰⁾ Cf. Sonderregeln für "gewerbliche Lebensberatung" sind kontraproduktiv! Petition organised by the magazines represented in *Interessengemeinschaft Lebenskunst*. No date.

¹³¹⁾ Cf. statement presented by the German Federal Government, dated 27 January 1998, on the *Bundesrat*'s bill concerning contracts in the field of commercial life-counselling services.

¹³²⁾ Cf. provisional joint declaration by the authorised representative of the Protestant Church Council to the Federal Republic of Germany, the European Community and the Commission of the German Bishops on the bill governing the legal relationship between providers and potential clients in the field of commercial life-counselling services. No date. (This statement refers to the first *Bundesrat* Doc. 351/97 dated 13 May 1997.)

As far as we are informed, there is as yet no evidence that “abuse of manipulative techniques” and the conclusion of agreements detrimental to the user are characteristic of the field of private counselling and psychological assistance. In connection with a parliamentary question submitted by the parliamentary group of Bündnis 90/Die Grünen, the German Federal Government stated that it did not know the nature and the scope of any damage caused by commercial life-counselling services.¹³³⁾

In a survey carried out on behalf of the Enquete Commission on “So-called Sects and Psychogroups”, more than 80 percent of the users of unconventional methods of healing and life counselling stated that they were satisfied with the methods used. These findings are confirmed by studies in various other countries.¹³⁴⁾ We feel that it is problematic that the present bill would result in a “two-class” law: Government and the established Churches would enjoy a privileged status in competition with private counselling centres and religious minorities.¹³⁵⁾ Services that might well be identical or similar in practice would be subject to different contractual provisions. It is not convincing to argue that the centres run by the established Churches and by Government are non-profit-making or charitable by definition, whereas private providers and religious minorities are generally suspected of pursuing chiefly unfair material objectives.¹³⁶⁾

We also share the objection that the *Bundesrat*’s bill does not adequately define the agreements to which the present draft of a special law should apply. Nor is it possible to distinguish between respectable and unscrupulous providers. The proposed provisions with regard to the right to rescind or revoke agreements would make it unreasonably difficult for the providers to plan their services properly.

In principle, we concur with the objective of the *Bundesrat*’s initiative, i.e. to prevent consumers and individuals who seek help from signing hasty and detrimental agreements. However, we feel that the proposed special law is an unsuitable instrument to achieve this objective. We therefore suggest that the service providers in the “psychomarket” should develop their own quality standards

¹³³⁾ Cf. reply by the German Federal Government to the written question submitted by Angelika Köster-Lössack, MP, and the parliamentary group of BÜNDNIS 90/Die Grünen: Consumer protection in the field of commercial life-counselling services (psychomarket). Doc. 13/9100 dated 18 November 1997, p. 6.

¹³⁴⁾ Hellmeister, G.; Fach, W.: Anbieter und Verbraucher auf dem Psychomarkt. Unpublished empirical analysis carried out on behalf of the Enquete Commission on “So-called Sects and Psychogroups”. Unpublished report, pp. 10 and 23f.

¹³⁵⁾ Besier, G.: Religionsgesetze durch die Hintertür. Wie Staat und Kirchen den Psychomarkt aufräumen möchten. Focus of 11 August 1997.

¹³⁶⁾ It is controversial whether the provisions of the law should or should not apply to the established Churches. The latter also frequently offer their counselling services “for payment”. Cf. the provisional joint statement by the Protestant Church Council ..., *ibid.*, p. 1.

through their associations or professional organisations and that they should agree on ethical standards, where this has not yet been done.¹³⁷⁾

7. Publication of expert reports and research findings

We appeal to the German *Bundestag* to publish the expert reports and the findings of research carried out on behalf of the Enquete Commission on “So-called Sects and Psychogroups” at the same time as the Commission’s Final Report. It must also be ensured that they are up to scientific standards in terms of quotations.

The expert reports and research findings concerned are listed below:

1. Informations- und Beratungsdienst des Referates für Sekten- und Weltanschauungsfragen im Bistum Aachen: “Beratungsbedarf und auslösende Konflikte im Fallbestand einer sogenannten Sektenberatung anhand von Fallkategorien und Verlaufsschemata”.
2. Fuchs-Heinritz, W.; Schöll, A.; Streib, H.; Veesser, W.: “Aussteiger, Konvertierte und Überzeugte – kontrastive Analysen zu Einmündung, Karriere, Verbleib und Ausstieg in bzw. aus neureligiösen und weltanschaulichen Milieus oder Gruppen sowie radikalen christlichen Gruppen der ersten Generation”.
3. Gladigow, B.: “Durch welche Merkmale läßt sich religiöse Abhängigkeit bestimmen?”
4. Hellmeister, G.; Fach, W.: “Anbieter und Verbraucher auf dem Psychomarkt. Eine empirische Analyse”.
5. Murken, S.: “Soziale und psychische Auswirkungen der Mitgliedschaft in neuen religiösen Bewegungen unter besonderer Berücksichtigung der sozialen Integration und psychischen Gesundheit”.
6. Roderigo, B.: “Zur Qualifizierung von Beratungsarbeit im Spannungsfeld sogenannter Sekten und Psychogruppen: Kriterien und Strategien”.

¹³⁷⁾ Some providers such as *Gesellschaft der Lehrer der F.M. Alexander-Technik e.V.*, (G.L.A.T.), which apply a bodywork method, have already come to an agreement on professional ethical guidelines. Cf. Berufsethische Richtlinien der G.L.A.T., Freiburg, as amended on 14 July 1996. The magazines represented in *Interessengemeinschaft Lebenskunst* have stated that they “support every effort made by alternative and independent therapists, healers, teachers and life-counsellors to establish associations and prevent abuse and improper counselling by introducing their own statutes and rules”. Cf. Sonderregeln für gewerbliche Lebensberatung sind kontraproduktiv! ..., loc. cit., p. 2.

Annex

The research project on “Drop-outs, Converts and Believers: Contrasting Biographical Analyses of Why Individuals Join, Have a Career and Stay in, or Leave Religious/Ideological Contexts or Groups”

I. Summary

The following summary of the research project has been authorised by the researchers:

What the results of the four sub-projects have in common:

1. The common starting point for all the sub-projects was the question of whether the biographical background and biographies of “stay-ins” and “drop-outs” show any marked differences, which all sub-projects answered in the negative or found to be of relative insignificance. This distinction did not provide the greatest contrast. This was in part evident from the differences between the structures of groups and organisations in varying milieus. On the one hand, there are the esoteric milieus and the so-called psychocults. Here, few of the groups are characterised by a clear membership status, as certain currents in this area do not produce firm groups, and therefore it is not possible to examine “entry pathway” or “membership” in the narrower sense of the words. It is likewise inaccurate to speak of “leaving” in this connection. The Far-eastern groupings and milieus display both highly organised groups and more open forms of participation in what is offered. On the other hand one sees the groups with fundamentalist Christian character or radical first generation Christian groups which have a greater tendency to present a united front to the outside world and to organise their members tightly. A distinction between the categories “stay-ins” and “drop-outs” is more significant for this segment. In groups within the Christian fundamentalist milieu, one finds the “traditionalist type” of member, representing a form of pre-ordained, early religious socialisation, an attitude which remains an affirmative part of the biography or is even progressively intensified. The background here is a very secluded religious enclave. It makes little sense to speak of “entry pathway” or “staying in” with this form, since membership has been part of the person’s make-up since childhood. This traditionalist type is postulated only for this milieu but it is logical to assume – the more time other milieus in the studies have to develop distinct traditions – that he/she will be found in these groups too. Apart from putting the distinction between drop-outs and stay-ins into perspective by reason of the differing milieus, a second, more essential objection to this method of contrasting them arises: no typical stay-in and drop-out biographies can be distinguished and indeed the “stay-ins” and the “drop-outs” can prove to have the same kinds of problems or similar patterns in their

biographies. What determines whether some-one stays in a group for a longer period of time or whether he/she leaves after a shortish period, is the “fit” between biographical constellations and the central biographical “concern”, which most sub-projects termed the “life-theme”, of the individual and the opportunities provided by the group to articulate, process or implement this theme in the individual’s life. Anyone who stays in the group for longer periods has either found a personal, satisfactory solution to the problem in his/her life, has shelved the problem or is still processing it in the context of the group. Someone who has left the group was either unable to solve their particular concern there or discovered, whilst processing his/her problem in life in the group, the means to leave the group. In other words a person can – with an identical biographical concern or life-theme – be a “drop-out” of various groups as long as he/she is searching for the optimal fit between person and group until, when the search has finally been successful, he/she becomes a “stay-in”. Conversely, changes in the groups can affect the sense of belonging to the group and turn a “stay-in” – with the self-same concern which once led him to enter the group and stay for the long-term – to become a “drop-out”. The conception that “sect drop-outs” differ fundamentally from those who remain in new religious or ideological groupings and psychogroups, must be thoroughly overhauled in the light of their clearly discernible parallels.

2. These reflections lead directly to a central conclusion of all the sub-projects; to understand why a person enters into a new religious or ideological grouping or psychogroup it is necessary to consider the whole course of that person’s life. Generally, it is possible to identify the “basic patterns” or problems, the so-called “life-themes”, which have a major impact on the entire course or structure of an individual’s life and which often originate in childhood; examples include the search for inclusion and belonging, the search for structures and support, the desire to be more important and unique, the quest for the new, for expanding one’s personality, etc. The individual carries his/her particular bundle of questions about life, problems and challenges into a variety of different social groupings, which sometimes exist in parallel with each other, sometimes consecutively, and attempts to process and cope with them. The same is true for those approaching religious, ideological groupings or psychogroups. The group or milieu provides its own specific, fully formed context where there are various opportunities to focus on each individual life-theme, to articulate or process it. As the biographical portraits reveal, the life-theme is generally processed for as long as it takes to reach a considerably better or satisfactory solution or a “fit” between biographical patterns and the group. There are clear indications that the narrower and more rigid the group’s outlooks and demands and the smaller the tolerance for non-conformist behaviour, the tighter the fit between life-theme and group structure has to be, if an optimal balance is to be found. If there is clear affinity between the group and the biographical life-theme, this fit can be achieved in harmony and – where tensions exist – with varying degrees of conflict.

3. This finding, namely that the interplay between biographical background, life-themes and groups is a significant factor in whether someone joins, finds a place in or leaves such groups or movements, clearly indicates that the individuals contribute some part themselves. All four sub-projects thus reject a mono-dimensional theory of “manipulation” or “seduction”. Not a single one of the reconstructed biographies displayed violence, manipulation or “being duped” as the dominant pattern behind the entry pathway into a particular group. Indications of manipulative group dynamics – inasmuch as it is even permissible in the context of biographical analyses to draw conclusions about group processes – would seem to be more relevant to other social relationships and by no means tied specifically to new religious movements, groups or psychocults. Even in types of person with a clearly heteronomous frame of mind, such as the seekers of therapy (type B) in the esoteric, psychocultic milieu or those whose decision to join is the result of pressure or influence from significant others (type C) it is still possible to discern the individual’s own intentions and see parts of the decisions and activities as the individual’s own. Even in cases where the group is accused of manipulation, the biographical reconstruction reveals that the issue of manipulation is a basic element of the individuals’ view of the world and of their life-themes.¹⁾ These findings should, however, not be interpreted as meaning that the individual is completely responsible for problematic or destabilising processes and experiences in the various groups or that it is their “fault”. However, on the basis of the numerous reconstructed biographies taken from highly heterogeneous milieus and including widely differing careers and experiences, one must firmly repudiate the conception that first and foremost manipulative strategies, cleverly targeted “psycho-techniques” or forms of influencing people to make them dependent are turning them against their will into utterly helpless creatures who act only at the bidding of the group. On the contrary, for each of the reconstructed biographies it is possible to portray the complex interaction between each individual’s life-themes and biography on the one hand and the methods used and offers made by the group on the other hand. Even where the process of distancing oneself from the group or actually leaving was full of conflict or highly destabilising, the biographies presented by the four sub-projects show that the persons are still ambivalent about their links with the group, meaning that the group’s influence can for that very reason remain effective.
4. Much clearer than the contrast between drop-outs and “stay-ins” are the relevant contrasts between varying careers in the groupings and the biographical consequences, the costs or the opportunities for the individual. Here the conception that the consequences suffered by the individual in new religious movements, communities and psychogroups are above all decompensation, regression or destabilisation have been clearly put into perspective.

¹⁾ Cf. the previous remarks on biographies in the context of Far-Eastern groups and milieus.

Instead one sees a large range of varying “careers”. Apart from destabilising forms, the results can be a stable, satisfactory fit or clear signs of transformation and further development within the context of such groupings and milieus. Which variations predominate is almost entirely a question of the biographical stresses and problems, the resources, coping and action strategies the individual contributes to the group relationship and – as already mentioned – the way in which individual and group structure fit together. Signs of destabilising developments and consequences can be seen in radical Christian groups when, through changes in the groups, the “fit” is weakened and the individual is unable, for reasons of biographical structure, to go along with the changes, resulting in dramatic and destabilising deconversion processes. The process of leaving can be equally problematic if severe strains and psychopathological structures (e.g. massive anxiety, depression, feelings of inferiority, etc.) are part of the individual’s personal make-up. If hopes for a solution to conflicts and for compensating stabilisation are artificially raised through the interaction of distorted individual perceptions and the exaggerated creation of expectations of “healing” by the group, the subsequent disappointment can lead to particularly dramatic, destabilising deconversions. However, there are also types of deconversion where the processes of entering and leaving the group are elements of a personal search for meaning and patterns of coping, leading to more productive forms of “fit”. In fundamentalist Christian milieus, one can likewise observe both immobilising or decompensating forms (especially with traditionalists and to a lesser extent with the mono-convert) and productive and transformational experiences while participating in the various groups, even if these elements do vary for the accumulative heretic, who is ambivalent due to repeated disappointments in his search for a solution to the issues of life and productive forms of processing. In other words, here too an element of crisis exists. In addition to the decompensating, crisis-prone types, transformational and relatively crisis-free biographies may also be found in the esoteric, psychocultic milieu. This applies especially to type A (“interested, willing to learn”), who is characterised by an active, self-determined approach to groups and a disputative mindset. A similar relationship may be seen in the Far-Eastern milieu: in the forms which are characterised as a “recourse to symbiotic communities of the like-minded”, which tend to be immobile, stagnating constellations, where stability is found in recourse to the familiar and a firm place is sought in the suspension of openness. In the various manifestations of an “autonomous lifestyle” as practised in the groups, or through critical examination of them, there are clear signs of transformational developments in peoples’ lives, which lead to practical autonomy in everyday life. An excellent illustration of these varying possibilities is provided by the differences in how various members of Hare Krishna (ISKCON) use and experience the group and how they organise their lives in the group, in the light of their personal biography and life-themes: in two cases the group was used as a retreat into a symbiotic cyclical religiousness to avoid the necessity to make autonomous decisions

about managing one's life, with the search for a symbiotic closed unit being continued in the one case after the person left Hare Krishna and went on to marry. By contrast another example shows how the freedoms within the group are used to orient the person towards the community and to gain potential for the autonomous management of life's problems compared with the narrowness of experiences in childhood and adolescence.

5. A further central result of the comparison of the four sub-projects is that a large variety of differing biographies, life-themes and backgrounds exists among those who spend or have spent time in new religious and ideological milieus and psychogroups. It was not possible to distil typical biographical facts, experiences or social framework conditions that were valid for each and every person. True, a large number of cases display crisis situations regarding problems with life-themes which have been building up since childhood and adolescence, making the person hope the groups will provide quasi-therapeutic stabilisation or resocialisation. However, even these forms of crisis can by no means be generalised. Indeed there are also biographies which are quite crisis-free and not characterised by processes of suffering. There are also clear indications that the biographical backgrounds and life-themes need not be typical of the groups and milieus, for example, if one considers that the biographical concerns have also been processed in other social contexts, before joining or after leaving the group. Moreover no marked contrasts could be found between individuals who belong to radical Christian groups of the first generation and the "control group" of people who adhere to the established (Protestant) Church or a Free Church. It is as impossible to discern a typical disposition for new religious communities and psychogroups that is rooted in a person's biography as it is to describe a typical "sect biography".
6. These findings lead directly to conclusions about the type of counselling that could be provided. On the one hand it is apparent that some of the cases require no counselling since no seriously escalating conflicts or biographical crises occur in connection with entering, staying in or leaving a group. Viewed against the complexity and variety of constellations of problems found in the biographies and the decisive relevance of the person's life-themes, one must conclude that counselling, where it is obviously necessary for people suffering from conflicts and crises that have "come to a head", should not be restricted to the aspects of membership in the group or leaving the group. The problems of counselling are highlighted when one considers that, for some of the interpreted cases, the biographical problems were not "finished with" simply by leaving the group, but remained relevant in other social relationships and needed further processing. Counselling should therefore be comprehensive psychosocial counselling, with a different approach to each case, taking into account the biographical patterns, the development of the personality, individual dispositions and constellations of problems. The pre-requisite is well-founded knowledge about the subject, i.e. knowledge of religion, new religious groups and movements, psychogroups, etc.

Comparison of typologies

The current status of evaluation is that for each milieu examined a typology of biographies could be drawn up which revealed, on internal comparison, the variety of biographies and biographical reasons for joining the group and the effects this had on later life. The next logical step would be a summarising comparison and contrasting of the reconstructed biographical typologies without dividing them by milieu. The current status of evaluation does, however, clearly limit this undertaking.²⁾ For example, all four typologies refer to the biographical process structures, but highlight specific dimensions which are used to compile the typology. Thus, while all the dimensions appear in each typology,³⁾ we do not always find the same dimensions in the foreground guiding the categorisation. The sub-project on fundamentalist Christian trends distinguishes between three types according to various forms of entry pathway, access and adaptation. The sub-project on esoteric psychocultic milieus also focuses attention on the types of access. The sub-project dealing with Far-Eastern milieus differentiates the types by looking at the relationship between the individual and practical autonomy in his/her life. The typology for devotees of fringe Christian groups is derived from the fit between biography, life-theme and group and the measure of flexibility or focusedness shown by the group. As a result of these varying approaches, it is not yet possible to devise a typology that embraces all the groups.

It would be important to investigate whether there are specific biographies or types of people entering who only appear in the one milieu or if specific milieus focus most attention on certain life-themes. This would be an important element in a well-founded differentiation between varying manifestations of new religious and ideological milieus. Some indications exist: the “traditionalist” is a type found only in the fundamentalist Christian milieu. One needs to examine whether this stems from religious traditions that occur in the this form above all in the context of Christian milieus, and whether this does not, or not yet, apply to other milieus with little tradition. The type of person seeking a retreat into symbiotic communities of the like-minded with cyclical religiousness is only found in the Far-Eastern milieu. Further investigation is needed to see whether such symbiotic, inclusiveness-seeking life-themes are to be found in this milieu rather than in the others and if they structure the motivation to join.

Amongst the people characterised by the milieu typologies – as has already been mentioned – there are also those who stand for a “more open”, “more productive” and “transformational” approach to the groups with their corresponding

²⁾ It should be noted that each sub-project will continue to evaluate the data; in some cases, additional surveys will be included. This can be expected to lead to a more systematic approach and more accurate differentiation, which will be published in more extensive reports which may considerably improve the platform for contrasting comparisons of the typologies.

³⁾ Cf. the distinction between three dimensions in the sub-project on the fundamentalist Christian milieu; these dimensions were related to the reconstructed biographies.

biographies and processes; e.g. the accumulative heretic, the curiosity-driven, eager to learn type, looking at the different forms one may adopt for autonomous living, perhaps by acting as opposing voice in a group situation or distancing oneself with the help of a contrary, alternative system of values from that felt to be heteronomous at an early stage of life (childhood, adolescence).

Open questions and further need for research

In addition to these notes putting the results into perspective, questions remain open even though the findings of the sub-projects are now available.

It is obvious that the method used, namely biographical reconstruction, does not provide any information about the internal reality, the interactive, social reality of groups and milieus or their management and organisation (e.g. in the psychocultic field). The sub-projects shed some light on which groups are more closed or more open, the varying possibilities for achieving a fit between life-themes and the community in question,⁴⁾ and mention is made for the Far-Eastern milieu of changes in certain groups. The overall conclusion is, however, that these are not statements about the reality within the groups but statements on how groups and milieus can appear from the perspective of varying biographies and against the background of varying life-themes and on the relevance they have for processes in an individual life. However, this does provide insights into the variety of ways the groups are experienced, depending on biographical background and which heterogeneous experiences may be made in the groups and milieus, depending upon the biographical background.

It would be very helpful to start further research at this point to examine the groups and milieus in interaction field studies and to correlate these with the biographical studies. Above all this would be a significant contribution towards answering the question of the connection between manipulation and influence exercised by the groups and the biographical themes and individual resources in the context of biographical processes. On this point – although the manipulation theory has been put into perspective – the findings from the biographical reconstructions are not by themselves conclusive.

It would also be very helpful to investigate further the specifics of biographical and life-theme backgrounds for the new religious or ideological milieus and psychogroups. The clear conclusion from examining these people's passage through life that there is no general "sect-prone personality" or "biography" might be further investigated and validated by conducting surveys of biographies in milieus whose religious or ideological views are at a distance or far removed from each other for maximum contrast.

⁴⁾ Cf. the case of Ms Fischer in the description of the sub-project on radical Christian groups of the first generation.

II. Sub-project on the “Attraction of Radical Christian Groups of the First Generation”

Dipl.-Theologe Wilfried Veese, pastor of the official Protestant Church in Württemberg

What follows is a short summary of the main topics and findings of the comprehensive research report. The summary is in four parts:

1. Remit and methods
2. Observations and findings
3. A “typical” case: Ms Fischer
4. Summary

1. Remit and methods

1.1 Initial question

The starting point for the researchers’ remit was the question: *what motivates people or which structures recognisably rooted in the biography and personality of the person are behind the urge to commit oneself to “radical Christian groups” of the first generation, to feel at home in the group or to leave it again? That leads to the next question: what dominates while the bond is being forged or acculturation is taking place – manipulative action patterns on the part of the groups, or specific attitudes of these persons, so that the commitment or sense of being at home may be regarded as a largely autonomous attempt to solve problems, or as a process of socialisation etc?*

To obtain reliable answers to these and comparable questions, the Enquete Commission formulated the remit named in the joint introduction to the four research projects.

1.2 Area under study

Based on information obtained from several Church and state-run offices for matters of life philosophy, various first-generation groups on the fringes of the established Church which had been judged “radical” were approached with the request for people to interview for the research project. Very few of the groups rejected the request outright. Most of them were very willing to co-operate. Thus at an early stage one had the impression that the “radical” label on the groups was not to be seen in terms of black and white, at least not on the level of personal contacts and the experience of the members. The qualitative interviews that followed with members and staff of these groups confirmed this impression, in particular for some of the Pentecostal/charismatic groups. The initial analysis of the interviews conducted in the milieu did not point to excess-

ively manipulative group processes or major areas of conflict. Further interviews were conducted with members of those groups who still appeared extreme by the end of the preliminary stage. From the data thus obtained, a total of six insider interviews was selected for in-depth evaluation. These subjects (TP) came from two groups with a strong focus on sanctification who showed no “openness to ecumenism”⁵⁾ on the question of dealings with Christians from other denominations (*type-A community, type-D community*). The researchers also succeeded in making contact with six people who had left these groups and interviewed them. The six respondents in the control group came from communities with governmental or Free Church attributes and a clearly discernible “openness to ecumenism”.

In addition, the Personality Structure Test (PST) of M. Dieterich (1997) was conducted with each respondent, so that it was possible to include the structures identified as contextual knowledge when contrasting and analysing the interview data (see Overview on page 380).

⁵⁾ For a definition of “openness to ecumenism” or “ecumenical flexibility”, cf. the definitions of concepts in 2.1. Relatively low pressure to conform implies a certain potential for criticism due to diverging views in the groups, or it permits partial acceptance of Christians from other traditions despite dogmatically held claims to absolute truth.

Overview of the Respondents⁶⁾

Stay-ins:	type-A community (strong focus on sanctification, great pressure to conform, strong missionary drive)	Ms Adler Ms Braun Mr Carstens Mr Etzel
	type-D community (strong focus on sanctification, great pressure to conform)	Ms Claus Mr Geiger
Drop-outs:	type-A community (see above)	Ms Fischer Ms Haug Ms Jung Mr Gölz
	type-D community (see above)	Mr Heinrich Mr Jakob
Control group:	type-S community (Protestant Free Church)	Mr Ernst
	type-S community (Protestant Free Church)	Ms Ernst
	type-K community (established Church community)	Mr Decker
	established Protestant Church	Ms Thiele
	type-M community (charismatic Free Church community)	Ms Schäfer
	type-L community (charismatic Free Church community)	Mr Walter

⁶⁾ We would like to thank the following persons for their co-operation in this extensive research project:

- the respondents, who told us their life histories,
- Ms Neumann and Ms Zieker for the transcriptions,
- Mr Bittner, Mr Krase, Ms Riwar and Ms Veesser for their help with the case analyses.

1.3 Methodology

In addition to the comments made on methodology in the common section of the four research projects, special attention is paid below to the “psychological personality test”.

When the authors decided to add an empirical method to measure the personality structures of the respondents, the following question needed to be answered: Which quantitative test method to determine the personality structure of a person is so wide in scope that it can differentiate between alterable and unalterable aspects? Another feature required of these instruments was that when they are applied to biographically identifiable structures, such as may be expected in the context of conversion and deconversion, they neither put a static straightjacket on the findings nor impose a paradigm on the interpretation of the qualitative interviews.

The chosen procedure was the multi-phase test developed by M. Dieterich (Personality Structure Test [PST] 1997), which distinguishes three different levels of personality structures (differentiated according to the extent to which they can be altered) while including existing and proven empirical instruments to measure personality. The differentiation on three levels of personality permits one to make statements on the stability of the various personality structures. One could thus expect to see and prove the existence of these structures to varying degrees in the biographical accounts. The structures act as more or less constant, transformable or alterable life-themes, which interact with the current social context.

Dieterich describes the following personality dimensions (1997, 46ff, 72ff, 138ff):

When describing an individual’s personality structure, Dieterich distinguishes between the character traits, the basic structure and the deep structure. In the

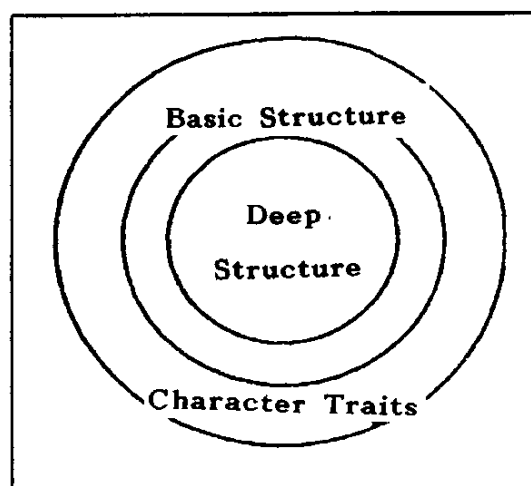


figure shown, Dieterich uses a model with three concentric rings in order to illustrate his concept. The outer ring represents the *character traits*, i.e. that part of

the personality which others can perceive, which characterises the person to the outside world and can make others like or dislike him/her. It is possible to work on these character traits, i.e. a targeted programme of betterment can change them (where necessary). The character traits can have emerged due to a given environment (job, family, etc.) or due to the influence of the “deeper” basic structure or even the deep structure. The second ring – the so-called *basic structure* – is not, by comparison with the character traits, directly visible, and its prominent features may greatly vary from the character traits.

Indeed, it is quite possible that the character traits show a large degree of sociability, whereas the basic structure shows clear signs of introversion. The basic structure has usually developed over the course of the years and is therefore more stable than character traits. The *deep structure* gives an insight into the parts of the personality structure which were acquired in early childhood or have in part been inherited. This level is so stable that one should not try to change it. Here too it may be expressed in ways that clearly differ from the basic structure and the character traits. These differences often explain certain tensions in life, but they are perfectly normal.

Dieterich borrowed from existing procedures to develop his Personality Structure Test.

- *For the character traits*, the 16 personality factors (16 PF) from Schneewind et al. (1986).
- *For the basic structure*, the Eysenck Personality Inventory (EPI) (cf. Eggert, 1983), and for the items, elements of the Freiburg Personality Inventory (FPI-R) (cf. Fahrenberg 1983), which distinguishes between the items “extraversion” (ranging from “introverted” to “extraverted”) and “neuroticism” or “emotionality” (ranging from “stable” to “unstable” or “flexible”/“emotional”). The basic structure can arise partly from the longer-term effects (learning processes) of correlating character traits, but by far the greater part is determined by genetics or imprinting in early childhood. Targeted changes require a great deal of time.
- *For the deep structure*; deductive procedures are better suited to uncover deep structures (such as e.g. qualitative interviews, through which the structural analysis of biographical events is possible). With a procedure he has developed for this part of the personality, Dieterich nevertheless attempts to open “a tiny crack to reach deep structure by empirical means” (154). Dieterich adopts the deep psychology personality model of F. Riemann, which is best suited for this procedure, both linguistically and in terms of operationalism, but without the pathological dimension in the descriptions. Riemann assumes “depressive”, “schizoid”, “compulsive” and “hysterical” aspects. Dieterich expresses these basic impulses as “distance – closeness”, using the pair of opposites “dispassionate – warm-hearted” and “change – stability” with the opposites “unconventional – conservative” (cf. 156).

It was to be expected that the biographical material might reflect concrete character traits in the context of an intense group relationship, which are, however, likely to have first developed during the process of conversion and acculturation. To the extent that a character trait which was already recognisable before the conversion had practical relevance as a life-theme it could undergo a change in the new social milieu. However, in the case of basic structures and above all of deep structures, one may reckon on them being evident throughout the person's life, although they may be transformed through interaction with the group, e.g. devotion and closeness in the deep structure manifest in varying social milieus as: close relationships with teachers and social work during school days, honorary posts in associations or social groups during adolescence and, after conversion in a Christian community, a strong commitment to works of Christian charity.

Analysis of biographical interviews that did not include the empirically measurable personality structures as contextual knowledge have shown that these personality traits were, as a rule, nevertheless visible as life-themes. This removed one worry in respect of the methods, namely that by including the personality structure as determined by quantitative means, one might artificially introduce to the qualitative interview an interpretational paradigm that was not appropriate to the biographical reality. However, it turned out that the opposite was true: The inclusion of this contextual knowledge made the interpretations easier inasmuch as one could expect a priori such structures, which were then indeed found redundantly in several sequences.

2. Individual observations and findings

2.1 A dynamic model of fit designed to explain the processes that lead individuals to join and stay in groups, as well as the probability of individuals finding a spiritual home, the potential for conflict, and the fluctuation in Christian communities

Analyses of the biographical material and personality structure profiles for the three groups of respondents in the sphere of Christian communities lead to the conclusion – beyond the specific manifestations of type – that there is a *dynamic model of fit which explains the processes that lead individuals to join and stay in groups, as well as the probability of individuals finding a spiritual home, the potential for conflict, and the fluctuation in Christian communities*. It also became apparent, as more detailed, contrastive work was done, that there are no perceptible differences⁷⁾ in the biographies or personality structures of people in evangelical and

⁷⁾ While there were actual differences at the level of the Personality Structure Test (see below); these have no bearing on similar biographical development dynamics for all respondents; instead, these differences help to explain the various processes of joining, staying in or leaving the group.

charismatic/Pentecostal communities originating from the fringes or the mainstream of established Protestant/Free Church circles, but that, on the contrary, they reveal large similarities on the level of recognisable experience. True, varying processes may be observed for new entrants, drop-outs or stay-ins. The dynamics of these processes are, however, very similar for all of them. Based on these observations one might suppose that the model of fit presented here applies to all Christian communities and also perhaps – at least in individual cases – to other milieus with a religious or quasi-religious character.

Terminology

Focused, inflexible vs. open, flexible group: The terms “focused” and “open” and “inflexible” and “flexible” are used in this context to describe two dimensions of what a Christian community offers its members:

- (1) Recognisability or dominance of a specific group profile (dogmatic, ideological or relating to the expression of faith)
- (2) The degree of pressure to conform exerted on the individual members whereby the group culture makes a wide-ranging claim to the private sphere of the individual and punishes departures therefrom.

A group may be said to be very flexible or open if the profile of the group culture is barely perceptible or relatively open, i.e. characterised by competing ideas or if the group articulates its ideological claims but makes no effort to operationalise them or demand compliance from the individual. As a rule this means that different kinds of person, often with contradictory needs, may feel at home in this type of group, and that not all the structures need necessarily directly correspond with a specific profile (viz. the pluralism in the established Churches in theological terms and with regard to questions of expressions of faith).

A group may be said to show little flexibility or to be focused if the group culture has a clearly recognisable, homogeneous and focused profile, i.e. not open to discussion for the religiously-minded person, operationalised in concrete directives on how to behave, and where departures from the system of the community standards are punished (pressure to conform). This type of group often makes a vigorous claim to absolute truth, with which it sets itself up as a the proclaimer of standards for “salvation”. As a rule, this means that people with similar biographical and personality structures and needs feel at home because the group culture demands that a person become like the rest of the group (cf. demands to change one’s “character”, sleeping habits, social contacts, etc.).

Close fit v loose fit: The term “fit” is used to describe the observed fact that people make their home in specific groups because of the large degree of congruence between the dominant elements in their biography or personality and the specific culture of the group. One may speak of a relative fit if, for those needs which are dictated by biography and personality but which do not directly fit into the group culture, a niche can nevertheless be found inside the group or

in a system of relationships outside the group, where the member can adequately satisfy the needs of his individual make-up.

The probability of finding a spiritual home. The probability of a person finding a spiritual home in a Christian community, i.e. his relatively permanent stay in this religious milieu, depends upon the closeness of the fit between his biographical and personality structures and the profile of the group. The closer the structures of the religiously-minded fit with a specific group culture, the longer he will stay, or, conversely, if the fit fails, he will break off the process of conversion and acculturation. One may look at this from the opposite angle; the closer the fit between group culture and the structures of the potential convert, the greater the probability that he/she will make their spiritual home in the group. This does not rule out other factors, which could also exert an influence on the probability of someone feeling at home in the group, e.g. the intellectual plausibility of the doctrine, the communicational skills or lack of them of the group leader, social incentives, such as being part of a familiar social milieu, professional and financial incentives, personal incentives (quite often erotic relationships are likely to be a factor, which could be classified as a biographical element), etc. However, it is assumed that fit in the sense described above is of central importance.

Potential for conflict: By potential for conflict one means that, as the individual and the community interact, specific factors rooted in the group, the biography or personality of the individual can trigger internal or external conflicts of varying intensity which have a biographical relevance. On the one hand, a focused and inflexible group culture carries within it the seeds of potential for conflict due to its claim to absolute truth and/or pressure to make each person conform (see above). On the other hand the lack of fit between the biographical and personality structures of the individual and the group, despite the former being highly motivated to stay, can in the medium term lead to conflicts and deconversion processes. The more inflexible a community is and the poorer the fit with the individual, the easier it is for areas of conflict to arise, accompanied by processes of leaving the group.

Fluctuation: Fluctuation means that although the “apparent” and initially attractive profile presented by a community (e.g. the promise that personal relationships will flourish in an environment that is subjectively felt to be alien) stimulates a fairly large number of people to seek further contact, the group’s inflexibility means that only those people whose biography and personality provide a good fit find themselves at home in the group. The more inflexible (see above) a community is despite an outwardly missionary attitude, the more frequently acculturation processes fail, because the structures of group and individual do not fit. The result is greater fluctuation. Inflexible communities that engage in less missionary work may be supposed to rely more on internal growth (extended families as standard) and thus display relatively less fluctuation. In all likelihood, this has to do with the fact that socialisation processes of this kind mean that parts of group culture have become a firm structural ele-

ment of the biography (cf. religion and specific expressions of faith as a life-theme and standard).

2.2 The dominance of biographical structures and life-themes for all interview groups

All the people investigated, including the test group that sought religious orientation in areas on the fringes of Church life, were as a general rule guided by structures and life-themes of which they were mostly unaware. These act as the principles which strongly influence and structure the actions of the respondents in the context of the conversion process, staying in the group or undergoing deconversion. Even if one must as a rule assume that definite actions stem from multi-causal relationships (e.g. economic and systemic aspects, etc.) these perceptible life-themes or structures do dominate in the person's biography and the way he relates to the group in question. They would appear to have a lasting influence on the religious orientation of a person. Viewed from different psychological or psychotherapeutic perspectives these sub-conscious life-themes are also termed "life-style" (psychology of the individual), in general "transfers" or "projections", "life script" (in transaction analysis). Even if a subject develops his own conscious models to explain his entering or leaving a group and introduces specific cognitive aspects into their paradigms as reasons for his behaviour (e.g. a certain teaching by a group he/she found attractive), developments will still have been dominated by those specific structures or life-themes; cognition is generally made to fit in with these (in the sense of resolving cognitive dissonances). These structures and life-themes are elements which are crucial in forming and characterising interaction with the group, and they create potential fields of conflict where there is no fit – irrespective of whether the group is focused and inflexible or open and flexible (see above).

2.3 The search for the closest possible fit

In all interview groups one may observe that there can be a history of multiple entries and conversions, differing acculturation processes, deconversions and religious re-orientations, until the individual respondent, in accordance with his/her biographical and personality structures and life-themes (of which they are usually unaware) finally achieves a large degree of correlation (fit) between himself and his needs on the one hand and the group culture on the other, such that he/she senses, feels, experiences and believes it. An analysis of the biographical interviews gives the impression that the person has been looking, experimenting and testing, until he finds a suitable fit, thus achieving identity in the widest sense, because the setting of the group provides the greatest degree of congruence and conformity with his own aims. From the perspective of the social scientist it would seem to be of secondary importance whether this fit is found in a religious or secular group. It is the observable processes of entry, staying in or leaving the group that seem to enable the person to process

specific life-themes, lines of development and patterns of behaviour, to further or arrest them or to start quite new ones. The group usually acts as a kind of catalyst in this respect.

2.4 Manipulative group elements or evidential experiences seem to be secondary

Manipulative elements would seem to be of secondary importance in the visible processes of interaction. They do indeed appear on the conscious plane e.g. in the context of deconversion processes as supporting arguments to justify one's action or inaction. However, for the actual decision-making process their role is rather subordinate.⁸⁾ This observation equally applies in reverse. Where the conversion and acculturation have been successful, the group's doctrine, a feeling of increased virtue, ethical claims and above all various evidential experiences, e.g. in the sense of spiritual experiences, play an important part on the conscious plane. In point of fact they often represent operationalisations, which confirm and bolster the needs of the latent structures or makes them possible in the first place and lets them develop. For example, service and devotion are highly prized in the system of values held by Christian communities. An exceptionally warm-hearted and altruistic person may, without realising it, and on the level of these interpretation structures, serve others because he is seeking to silence a deep-rooted fear of isolation, loneliness and social distance. According to the system of values held by his community, however, his actions earn him the status of a virtuous man. He may even serve as a social role model and an example of selflessness, without either he or the group perceiving that it is all founded on simple but powerful biographical or personality structures, which both determine and promote this behaviour.

2.5 Deconversion types

From the perspective of qualitative interpretational categories, the data available make it possible to distinguish at least three different deconversion types:

2.5.1 Conversion and deconversion as transitional phases in a biographical pattern of action in the context of an individual's search for meaning and of his coping

The process of deconversion – likewise the conversion that took place in this group – represents a way station in the search for religious meaning. The process – sometimes intentionally initiated – is repeated by the respondent until he has found a suitable context and religious setting in which he is able to make his spiritual home, at least in the medium term.

⁸⁾ One must, however, qualify this statement inasmuch as the Christian fringe groups seldom practise the type of targeted psychological or psychotherapeutic treatment that is reported to take place in so-called "psychocults". The research report presented by Prof. Fuchs-Heinritz sheds more light on this area.

In these cases leaving the group is usually not very dramatic. True, the process is accompanied by conflicts and frustrations but these are no more intense than other intentionally induced actions, such as the mourning process when a relationship has been ended, etc. It is noticeable that this group of drop-outs only partially, and then not consistently, interprets their leaving process in terms of victim and perpetrator paradigms.⁹⁾ As a rule this results in differentiated assessments of the membership in the group till then (in the sense of a profit and loss account). Should this particular person nevertheless come to a negative paradigmatic assessment during the course of his argumentation, it may be because e.g. his current social environment includes participation in an alternative drop-outs group, and that this group has made the victim-perpetrator paradigm one of its tenets. This initially offers the individual a plausible interpretation for his leaving.

2.5.2 Deconversion as an “institutional process pattern” in the context of which there is failure by the individual to match his ego identity to the group, now altered, institutionalised and beyond his powers of influence

Deconversions after many years in the group prove to be very dramatic and full of potential for conflict. If there was a large degree of homeostasis, i.e. a close fit between the biographical structures of the individual and the group culture or a concrete social setting inside the group, the loss of equilibrium and the resulting conflict is not due to “mismatching” on the individual’s part nor is it stimulated by the previous degree of inflexibility in the group, but by an unforeseen process of transformation within the group itself that the person wanting to stay in the group is unable to stop but which he is unwilling or unable to agree with, due either to his make-up or a specific imprinting. The triggers and the reaction mechanisms are comparable with similar everyday processes (cf. structural changes in the workplace with selection processes that take jobs even from workers who have given years of loyal service). In this context, the respondents feel very much that they are victims. The group they were so familiar with can no longer meet their needs due to the process of change. The symptoms shown by individual drop-outs include tendencies which are reminiscent of a faulty fit.

2.5.3 Deconversion as an element in a psychopathological process

Where there are clearly perceptible and in part premorbid psychopathological symptoms (e.g. neurotic traits such as anxiety, depression, pronounced inferiority or obsession conflicts) the leaving process parallels the pathological state. Often upon initial contact, the group culture and its specific profile seemed to offer the respondent, with his psychopathologically distorted perceptions, solutions to his conflicts. Or the person hoped that the group would act as a catalyst to help him cope with specific deficits or failings. The distorted perceptions on the part of the convert can be reinforced by a corresponding lack of a sense

⁹⁾ This means that the group is seen as a manipulative and controlling perpetrator, while the convert or drop-out is considered to be the victim.

of reality on the part of the group, e.g. unrealistic ideas about the possibilities for changing character through faith or the power of faith healing, etc.

However, just as in everyday life distorted patterns of perception come up against actual reality and opportunities to make corrections arise, similar processes may be observed in the interaction of the respondent with his religious group. If the premorbid psychological conflicts he already suffers from escalate due to his heightened vulnerability, this should not only be ascribed to a rigid group milieu, especially since there can at the same time be helpful interactions between the individual and the group itself, independently of his conflicts with the outside world, which can help him cope with a personal crisis in his life. One must assume a relationship in which the convert is responsible for his actions and for whether or not he accepts the group's existing offers to change his life or receive help. The "therapeutic" effects are often no different from those which would result from acting according to normal common sense, such as one might observe in any daily experience of life. However, it was also noticed that a specific Christian paradigm (e.g. God must heal) prevents "sensible" courses of action as dictated by "normal common sense", particularly when dealing with people who are psychologically disturbed. Often clearly recognisable strategies for coping and the corresponding competence to act are missing.

This makes it necessary in diagnosis to identify structures which are not only related to an individual's case history but which are also highly biographical. Deconversions often manifest themselves as being full of conflicts and often dramatic, with the overall psychological state of the person often being the main cause of dramatic course of events, even if the religiously focused or inflexible group¹⁰⁾ provides the immediate stimulus.

2.6 Summary with regard to the Personality Structure Test (PST)¹¹⁾

The A community is the one whose group culture, i.e. its expectations of the individual member, the system of values and standards, the intensity of the personal interactions, the structure and the process of religious experiences, has

¹⁰⁾ It might just as well be inflexible, secular groups that generate extreme stress (e.g. groups in professional life).

¹¹⁾ What was observed at the level of biographical structures, the question of how life-themes are dealt with, etc, is confirmed and complemented by the contrasting observations in the context of the Personality Structure Test. The remarks in this summary are based on the results of the Personality Structure Test (PST, see above). The total number of cases is n = 36, of which 9 are stay-ins or insiders (four in a type-A community, five in a type-D community); 11 are drop-outs (four from a type-A community, two from a type-D community, five from other religious fringe groups with considerable potential for conflicts); 16 subjects were in the control group (nine evangelical and seven Pentecostal/charismatic in character). According to the criteria for quantitative empirical methods, the number of subjects is too small to permit any reliable quantitative comparisons. However, the higher numbers observed for subjects – both relative to the normal population and relative to other groups of respondents – point to trends which, while not yet quantitatively underpinned, were usually confirmed by the qualitative observations in the interview data, inasmuch as sequences could be demonstrated for these themes.

the clearest profile of any of the groups examined. In other words, the type-A community displays a clear and specific set of offers and desired behaviour, in which members are instructed, with the group demanding the minutiae of the prescribed conduct. Individual character traits of people leaving this type-A community differed from the typical personality profile of other group members, but the most striking differences were found in their basic structure.

This observation leads to the assumption that where the group presents a specific profile, those showing an interest in the group must also display specific features.¹²⁾ This is the same principle that applies in other social processes of selection (cf. the psychological criteria judged necessary to practise certain professions or perform certain tasks, such as to pilot an aeroplane). That explains, for example, the exceptionally high fluctuation within the type-A community. The initial enthusiasm for the alternative expression of faith soon comes up against the concrete expectations of the group. Even if the candidates are willing to work on their “character” and such processes of change are part of the group culture, there are limits to how far this can succeed. Individual character traits and, if there is a great willingness to change, even elements of the basic structure, can alter to fit in with expectations. However, a permanent alteration to personality structures is possible only if the candidate himself suffers greatly under the status quo (as, for example, in dense therapeutic settings as in or out patient or in specific permanent job environments, which, for whatever reasons, can neither be abandoned nor restructured and oblige the persons to make efforts to adjust).

Whether they belong to a certain fringe religious group can therefore be seen most clearly in the basic structures of the subjects. The respondents in these groups share character traits and deep structure features that are observed much more frequently in other people from all the Christian groups under scrutiny, even if slight variations may be observed.

If the deep structure or basic structure of a subject is very pronounced it appears as dominant in the process of acculturation. It is therefore all the more necessary for the group profile to fit that of the candidate, if the acculturation process is to succeed, since the basic and deep structures of the respondents prove to be very resistant to change. Life-style aspects are more flexible than deep structure or basic structure when it comes to conversion or acculturation. It is easier to act out a life-style in niche situations found in external relationships or in structures within the group. Deep and basic structure on the other hand require a closer fit and it is very difficult to accommodate them in niche activities.

¹²⁾ Against the backdrop of psychological personality tests performed on members of religious movements and esoteric groups, using the Freiburg Personality Inventory (FPI) and the questionnaire on Competence and Control Convictions (FKK), Zinser, Schwarz und Remus (1997) arrive at similar conclusions: “Because of their personality structure, individuals ‘choose’ the orientation that suits them” (p. 47).

The closer the deep structure is to the mean value, the more other personality traits or biographical structures or life-style aspects dominate in the process of conversion and acculturation.

3. A “typical case”: Ms Fischer

The dynamic model of fit described above permits a clearer view of the various biographical and personality features which played a role in the respondents’ first contacts with a group, their entering, staying in or leaving. As an example, we have chosen the case of Ms Fischer.

At the time of the interview Ms Fischer was 28 years old and single. She had studied medicine and was working as a doctor. She grew up in the established Protestant Church and was confirmed there. Although she made her first contact with faith in this traditional setting, she contrasts that with a consciously practised Christian life.

The respondent described the atmosphere at home as very sheltered and protective. On the other hand, she remembered being brought up strictly, especially in comparison with her younger sister. Since this younger sister was very ill, the respondent had to shoulder certain responsibilities (helping her with homework, building a circle of friends for her sister, integrating her into the peer group, etc.). However, she found this burdensome, and to a certain extent, it competed with her own needs to relate to people of her own age outside the family without having her sister present. While attending confirmation classes, she developed her own religious interests and had her first independent experiences of faith through working with a youth band. She empathised with the pastor of her Church who was poorly regarded and under pressure because of his political convictions and how he did his job (organising retreats).

As a young person, the respondent felt pressurised by her parents.

- Her father wanted her to take up his own profession.
- Her parents interfered with a friendship and forced her to end the relationship: *“they put incredible pressure on him as well as me”*.

Initial contact and conversion

The respondent reports that at the age of 19, before her conversion, she started a university course in G-town, and had no close contacts to any Christian Church. However, she had helpful talks with a fellow female student (Protestant Free Church) and gained new stimuli for her faith. While she was still 19, she switched to a new course of study, which was a considerable shock. For this reason, she moved to (Big City) and concentrated on her studies. At first, she had hardly any contacts apart from with home. Finally, the respondent sought contact with an established Protestant Church community but failed to warm to it. While still a student, the respondent started a relationship with two non-Chris-

tians, which she experienced overall as severe crisis and trauma. On the one hand, she wanted contact with these people. On the other hand, there was a clash with her Christian ethics in that she had a relationship with non-Christians and broke off the first relationship in favour of the second (which her conscience, taking its cue from the Bible, felt to be a “sin” and immoral). Due to these conflicting relationships, she concentrated on finishing her studies and on the second relationship, despite her ethical misgivings. When, however, this second man left her, she had lost her orientation.

After the relationship had been broken off and the stress of examinations was over, the respondent was approached one day whilst waiting for the underground by a woman (type-A community, a group with a strong focus on sanctification) who asked her about her faith. She accepted several invitations to visit this woman and the services and bible circles of the type-A community.

Various aspects of the type-A community appealed to her:

- the personal relationships (members of her own age, in part common interests),
- the people were full of “get up and go”, which the respondent found very attractive despite the planned nature of the activities,
- the respondent found answers to her questions on the meaning of life.

For about six months she frequently attended type-A community events. However, then she avoided them and went abroad against the will of the leaders, since the respondent had not yet become a member. During a two-month traineeship abroad she visited the type-A community there. Closer contact with these people and especially meeting a woman who quoted and explained a certain passage from the Bible, helped her to find her faith again. *“These words touched me, and I realised how wonderful this promise is and that it is also given to me”*. In retrospect, the respondent described the specific effect of the type-A community on her life then with her belief that she was so far removed from God that she would not have felt *“attracted to a moderate community, and perhaps I needed something extreme and very vibrant to find God at all”*.

On Leaving

While still abroad, the respondent broke away from the type-A community. When she still in (Big City) she had noticed the pressure in this community. She had gained the impression that they were trying to “lure” her. She took exception to the way that the people in certain positions claimed an authority that they did not deserve due to their incompetence. She was also annoyed by the tight controls (phone calls when she had not attended). She rejected the type-A community’s claim to absolute truth. She was also irritated by the constant urging to join, which involved baptism, and by the group’s criticism of her plans to go abroad (accusation of egoistic motives) from which she was not, however, to be swayed. The respondent noticed that the type-A community abroad was

slightly more liberal than at home. However, she experienced similar pressures and a pronounced hierarchy.

- When a leader arrived late for a leisure time event the group waited for an hour and a half and was not prepared to alter the original plan without the leader. When the leader finally arrived, he offered no apology.
- She was strongly affected by the personal account of a 17 year old girl who had grown up in the type-A community and wanted to break away, but was finally reintegrated after a great deal of pressurising by the parents and the community.
- A further reason behind the decision to leave was that everyone who had spent a while in the type-A community was expected to go out onto the streets and be “fishers of men”, whether one felt equal to the task or not.

Re-orientation

Leaving the type-A community did not mean that the respondent lost her religious orientation but rather that as soon as she returned from abroad she looked for a new community. She wanted to meet people who take the Bible seriously, with a loving attitude where she could feel sheltered. The respondent had much appreciated that people in the type-A community invited her in and took her everywhere, that she made contact and was approached personally. Via a colleague at work the respondent finally found an evangelical Free Church type-B community, which she joined and where she is now active.

Life-themes and biographical structures

“Pressure” as a life-theme

In a letter to the author after the interview the respondent wrote that this meeting had started a process of further reflection. Referring especially to the question of during which phases in life “pressure” situations similar to those in the type-A community had occurred she concluded, *“Through the interview, I realised how often and how strongly pressures have played a role in my life and continue to do so. I tend to put pressure on myself or let others put pressure on me. I should like to work on that in future.”*

Pressures experienced by people and the resulting reactions and patterns of interaction form a pronounced structure which dominates the experience. The transformation of these patterns can be clearly traced throughout various situations in life (see above).

During adolescence, for instance

As part of her arguments for leaving the type-A community while abroad, the respondent recounted an revealing story (see above), the history of a 17 year old girl who was so pressurised by her parents and the type-A community that

she was unable to leave and was instead reintegrated. The text points to the conclusion that the mechanisms of a powerful transference were at work in the respondent. Obviously, this young woman reminded the respondent of the pressures brought to bear on her when her parents interfered in the subject of the choice of a profession and the first boyfriend. The respondent felt deeply sympathetic towards the young woman: “So they just put pressure on me (the 17-year-old, the author) her parents (sighs audibly) ... and er ... she just couldn’t manage to break free, and then she was fully integrated ... back in the community (very quietly)”. As in other parts of the interview strong or loud expulsions of breath signalise inner agitation and tension. The arc of tension contained in this sentence exactly parallels her own life; the attempt to go against the will of the parents, giving in and finally having to put up with the frustration of her own failure. The respondent interprets this event against the backdrop of her own biography as a problematic one, down to the intonation of the sentence and with unmistakable body language signalling her empathy. In telling the story, the respondent is reliving her own crisis in adolescence.

Whereas the respondent bowed to parental pressure when choosing her profession, she found a way out of this system by entering into the relationships already mentioned.

In the type-B community

The transitional situation in the evangelical type-B community (setting up a new offshoot community) placed huge demands on the respondent’s time and energy. She coped with this pressure by looking at it from the perspective of the others who were under just as much pressure and with whom she wished to demonstrate her solidarity. Moreover, she could see an end to this state of affairs, when increasing numbers come to feel at home in the type-B community and share the burdens.

Conclusions with regard to the problems centred around “pressure”

The respondent is very sensitive to pressure of any kind, and her reaction is defensive. However, there are types of pressure that the respondent is able to allocate on the cognitive level and which she can thus integrate into her own behaviour and experiences. Because of her own standards, expectations or “objective” emergencies, stress situations then act in the social network of relationships as “eustress”, in other words as an incentive to shoulder and accept the inevitable.

Life-theme: “Living according to one’s talents”

The respondent wishes to live according to her talents. By that she means that the community should take note of the skills and capabilities that each member can contribute to the group. The respondent does not feel she has the “talent” of “evangelising” and therefore had a huge problem with the demand made by

the type-A community. *“That is simply not the way I am; it’s that somehow I can’t do it yes, with music it’s all well and good; I find that quite easy, but um ... not so much in words. To in I should (draws deep breath) now to ... um.. to go and ... um ... talk in front of others”*. It is her abiding wish to find her spiritual home in a community that she can “fit into” with her talents.

Life-theme: Dealing with power and decision-making

To sufficiently understand the processes of interaction with members of the type-A community and the decision to leave, one must take a closer look at the role of a first-born sibling, in particular when the parents have expressly delegated some of their parental responsibility.¹³⁾ It is clear from the transcript of the interview that the acquired dominant role of the first-born clashes with the attempts of members of the type-A community who are the same age as the respondent to decide for her how she should think and behave. The more so when the respondent can see that such interactions are not governed first and foremost by genuine concern but by communication processes directed to the exercise of power, with obedience as the primary objective.

Personality-rooted structures

Dispassionate attitude (character trait)

This trait was very obvious in the interview and, together with the introverted basic structure, is an important reason why the respondent did not stay in the type-A community. Community life and the practice of faith in the type-A community is based on intensive contacts. Whereas this may well have suited her slight warm-heartedness, the pressure of expectations from the type-A community clearly clashed on this point with the respondent’s potential.

Self-assertion (character trait)

The respondent has a slightly above average tendency to self-assertion which is part of her biographical experiences. She was subjected to moral pressure by the type-A community, who interpreted her desire to go abroad as egoism. Nevertheless she had the strength to do as she wanted. In other situations, the respondent likewise contradicted the group standards.

¹³⁾ Not only do first-born persons tend to be good observers, theoreticians, ambitious people and perhaps rather conservative (although this last trait cannot be corroborated by the interview text); the permanent question of who among the siblings has power and decides what to do also plays an important role for them. True, within the context of the learnt, secondary frame of reference, it is possible to acquire the qualified and socially accepted patterns of interaction for such conflict situations, which can lead to constructive controversies. Nevertheless, the primary pattern of behaviour is retained and is predominant particularly when the person feels lacking in orientation. These statements naturally apply only if parents do not systematically try to counter such a tendency.

Introversion (basic structure)

In the context of the dispute with the type-A community the slight tendency in the basic structure of the respondent to introversion was confirmed. There were several clashes:

- The respondent was asked to do missionary work on the streets, just as all members of the community did. This clashed severely with her “talents” (see above).
- One reason for the successful acculturation in the type-B community was the fact that this group accepted the respondent with her “talents” and thus a fairly close fit could be achieved.
- The respondent also stresses differences between herself and other members of the type-B community who are able to publicly display their enthusiasm, with praying, singing or other public actions, whereas she dedicates herself to tasks where she can behave in a more restrained manner.

Details of the PST for Ms Fischer (see Annex, p. 397):

The openness scale shows that the respondent has a slight tendency towards “reticent” or “socially desirable”, but the result (4) nevertheless in no way limits the assessment of the test.¹⁴⁾

Regarding the character traits, only abstract thinking is at the 4-percent level. Clear tendencies may be seen only for unconventional (8), unselfconscious (3) and inner tension (8).

The respondent’s basic structure is slightly inside the introverted-stable quadrant (4/4) The fact that the respondent shows a slight tendency towards dispassionateness amongst her character traits might indicate that she could, with a p value of ± 1 perhaps tend more strongly to introversion in her basic structure, which assumption was confirmed by the analyses of the interviews. What appears congruous in the character traits and the basic structures runs slightly counter to the deep structure. A slight warm-hearted portion may be discerned (6). The average total on the U axis (32) takes the respondent from 1.5 conservative to 6.5 unconventional. That means that the respondent, apart from highly conservative elements, can also demonstrate clearly unconventional behaviour patterns on the level of the deep structure. Overall the results for deep structure are median (warm-heartedness 6 / conservative 4) so that one may speak of slight tendencies but no more, especially since the sum total on the W-axis is relatively low.

¹⁴⁾ It must be pointed out, however, that the reliability of the method increases with increasing values on the openness scale.

In terms of social orientation, the following picture emerges:

Character traits: Dispassionate attitude (slight tendency, 4)	
Basic structure: Introverted (slight tendency, 4)	
	Deep structure: Warm-hearted (slight tendency, 6)

The relationships between deep structure and character traits inasmuch as they are pronounced, may be shown as follows:

Deep structure: Dispassionate	Deep structure: Slightly warm-hearted (6)
Dispassionate view (slight tendency, 4)	
Self-assertion (slight tendency, 7)	
	Willing to trust (slight tendency, 4)
	Unselfconsciousness (clear tendency, 3)

Of the six possible relationships with the W-axis only two show a slight tendency to run counter (dispassionate attitude and self-assertion), whereas the willingness to trust and the unselfconsciousness in the character traits confirms the slight warm-heartedness.

The relationship between the U axis and the character traits results in following picture:

Deep structure: Slightly conservative (4)	Deep structure: Unconventional
	Unconventionality (clear tendency, 8)
	Self-confidence (slight tendency, 4)

Only two of the possible relationships one might consider show relevant values that are counter to the slight conservativeness: the clear tendency towards unconventionality and the slight tendency to self-confidence in the character traits.

These representations lead one to the conclusion that the respondent appears to the outside world as more dispassionate, self-confident, resolute and unconventional, or wishes to create that impression (cf. openness scale 4) than truly meets her needs as shown in her deep structure. Here a possible reason may be supposed in convictions about life-style or other biographical structures.

However, one must stress once again that most of the values are in the median range i.e. that the respondent has a personality structure that is very much of an average nature and that she differs little in this respect from the rest of the population.

Summary

Viewed from the aspect of entering and leaving religious groups the biography presented here is dominated long-term by at least three structures and life-themes:

- Critical confrontation with situations in which pressures limit the respondent's freedom, their avoidance and elimination.
- Avoidance of activities which are at variance with the need for introversion.
- Situations of conflict due to claiming or exercising power, especially by peers over the respondent or over others, without the respondent participating as a subject.

One may note that the specific profile offered by the type-A community acted as a catalyst to help the respondent cope with a fortuitous crisis in her life, without her completing the acculturation process in this community. Both occupying herself with the offer made by the type-A community and leaving the group had "healing" therapeutic effects on the respondent.

Internal correlations in the Personality Structure Test, despite the predominance of median values, did point to one aspect in the data which had gained relevance. It revealed the latent structure of behaviour tending towards the dispassionate and introverted, which was transformed at various phases of life.

The analyses also made it clear that in this case, compared with other religious groups, and despite a tendency to specific group dynamics or manipulative interaction patterns on the initial contact and during the course of further developments, overall the respondent's own actions played the major part both in entry and exit.

In the process of interaction between the respondent and the type-A community it became apparent that the specific profile and offer did not adequately fit the respondent. True, she was able to constructively process a concrete conflict in

her life within the context of the initial contact and acculturation. She also profited in a spiritual sense, at least from the type-A community abroad. However, she failed to make her life-themes or dominant biographical structures and those rooted in her personality fit into the milieu of the type-A community and thus feel at home. This automatically led to her leaving the type-A community and entering a new community where she could fit in.

4. Summary

1. People who deliberately enter fringe religious groups or established Free Churches or official Churches, who remain in these milieus or who leave again, seem to be *very strongly influenced by structures of biography, personality and life-themes*. These structures and life-themes become visible in qualitative interviews and in psychological personality tests.

Examples of such structures or life-themes: warm-heartedness – can a high degree of altruism that has been evident since youth be expressed in the group? Aim in life, a family – does the group offer a platform on which to venture on this aim in life with social support and control? Conservativeness – does the candidate find clearly structured standards and values in the group against which he may examine his own conduct?

2. It became evident that conversion, career and deconversion processes are based on several constant factors which form a dynamic model of fit: the focusedness / inflexibility v. width / flexibility of a specific group on the one hand and the close or loose fit of the convert on the other hand. *The more inflexible the community's profile is and the more it insists that every member should e.g. think, act and feel in similar manner, the closer the fit must be with the structures and life-themes of the convert.* If individual, less dominant structures do not fit in with the community profile, the question of whether the convert remains for the longer term is obviously dependent on whether “niches” can be found for these structures, either internally or externally.

An example: Group culture demands of its members three street missionary stints per week. Due to great introversion and a dispassionate attitude the member is not able to keep this conduct up for long. He does, however, benefit personally, having strong feelings of inferiority, from the exclusivity of the group. In such a case he would only be able to remain in the group if he could find a niche for his pronounced need to withdraw as a result of his introversion and dispassionate attitude e.g. as person in charge of technical equipment, which would spare him the direct contact with strangers.

3. It was striking to observe that *in all the test groups* some of the respondents *had entered and left groups several times*. These people were in effect echoing the structures of their biography and personality, seeking as close a fit as possible. In this context, *leaving a group was generally rather undramatic*.

The time with the group (often only few months to about two years) and the experience of leaving again are generally constructively integrated into the personal biographies. Respondents with these case histories seem to be experimenting until they find a group that offers the most satisfying fit.

Example: After only a few months, a respondent had realised that the fringe Church group was not the right place for him. However, he relished a period as quasi-adherent in which he confronted the group elite with heretical ideas at variance with group ideology, thus carving out an exclusive special role and relationship for himself. After about a year, he ended his “test” and finally left the group. In the group of drop-outs that he then joined, he obviously appeared as somebody who had been able to see through the group very accurately and had tested it with great skill. This let him once again occupy an impressive special role and transformed his conspicuous life-theme of superiority and the quest for religious meaning.

4. So far as could be determined with the methods used in this investigation for the fringe religious groups under observation, the visible *conflicts within the group in the context of the process of leaving and the manipulative group dynamics e.g. on initial contact or during the process of acculturation* are not in essence any different from those in many everyday situations. Conflicts arise in family relationships and in situations of dependence on inflexible employers. Complicated and traumatic separations between spouses seem to leave traces behind that are similar to the stressful exit from a fringe religious group. It would seem therefore that *manipulative techniques* play a subordinate role in whether someone enters, stays with or leaves a fringe group.

Example: In a rapid succession of sequences, one respondent spoke on the one hand of his great gain in prestige due to the exclusivity of the group and his position as one of their elite. On the other hand, after a painful process of leaving that stretched over several months he described his entry many years before in manipulative terms (“fished” or “caught”). It goes without saying that manipulative methods can be observed in the recruitment of members (as with dubious or immoral attempts to gain customers in other spheres of daily life). However, the respondent willingly assented in the expectation of the benefits he indeed enjoyed for many years.

5. *On the basis of the available analyses and from the perspective of the subjects one cannot on the whole call the groups “radical” or “dangerous”, even where there are, without doubt, difficult and problematic conflicts within the groups or outside the group.* Among all the test groups examined it was possible to discern both internal traumatic conflicts between the individual and the group as well as healing and indeed therapeutic processes of interaction, at all levels of entering, staying in or leaving the group. Whether these confrontations are traumatic and full of potential for conflict or whether they are healing and take

the form of a progression, depends largely upon the degree of fit between the group profile and the structures and life-themes of the convert.

Examples: On the one hand, it was noted that the milieu of a specific fringe religious group acted as the trigger setting off a psychological crisis, with the psychological disturbances escalating in the context of the acculturation and leaving processes – however, a high degree of premorbid vulnerability already existed in this case. On the other hand the rigid profile of expectations on the part of the community gave other respondents a setting in which they were able to overcome specific deficits (e.g. social anxiety through cognitive therapeutic treatment: You can do it! God will make you strong! Trust and act! etc.)

6. After comparing the various subjects, one may say that, viewed against the general effects of their dominant biographical or personality structures and life-themes *there are no differences between the three groups* (joiners, drop-outs, control group) *The available data do not indicate that there is a typical “sect biography” or “sect personality”.* Thus from the perspective of the social scientist, it may be formally correct to speak of people who join, stay in and leave fringe religious groups. This static description is, however, problematic in that it does not fully reflect the social reality of the matter. Basically – quite apart from religious, Church or other social perspectives – *the term “sect”, when viewed from this angle, is somewhat problematic when applied to the fringe Church communities examined here and is not adequate to describe the social reality of the individuals concerned.*
7. At the end of these observations one obvious consequence for the way one approaches people who stay in and above all those who leave presents itself: *Every type of counselling should start holistically, i.e. after including biographical and personality structures, the life-themes and religious queries, the counsellor should first make a diagnosis and then offer a therapy.* Holistic counselling sessions that can take in every aspect of life are better than offering help that concentrates almost exclusively on the direct experiences with the group. It will not otherwise be possible to advise and counsel in accordance with the social and biographical reality, putting aside personal or social stereotypes or projections regarding fringe religious groups.

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III. Sub-project on “Biographies in Christian Fundamentalist Milieus and Organisations”

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For this research project, which was set up as a third-party funded project at the University of Bielefeld¹⁵⁾, contrastive analyses of biographies were drawn up, i.e. the processes of entering, staying in or leaving the fundamentalist Christian milieu or organisation were scrutinised. From a pool of 22 interviews, 12 were chosen in the initial selection process and transcribed as preparation for analysis and comparison using reconstructive hermeneutic methods for the qualitative interpretation of narrative interviews.¹⁶⁾ Analytical attention was focussed on the relationship between the “religious career” and the biography “*backwards*” (conditions motivating joining and belonging) and “*forwards*” (biographical consequences in terms of transformation, immobilisation and decompensation) with special attention being paid to the changes or continuity in the personality, how content the person was with life, his ability to act and his identity in view of conversion and transformation processes during the period of entering, staying with or leaving the group which may have left deep impressions.

¹⁵⁾ I had succeeded in enlisting a number of interested and well-qualified academics to conduct and analyse the interviews; most of them were post-doctorate or were in the process of writing their dissertations in sociology, psychology and theology. The names of these helpers, who worked on the basis of contracts for services, were S. Grenz, Cologne; Dr M. Hoof, Witten; K. Keller, Bielefeld; Dr M. Utsch, Hanover/Berlin; A. Wyszka, Gelsenkirchen. I should like to take this opportunity to thank them very much for the time-consuming work in the interpretation groups (small groups) and in preparing the case analyses. For what was at times a very difficult transcription job, I would especially like to thank S. Lipka, G. Ortmeyer and A. Grenz. For his help in co-ordinating the office work, I would like to thank Mr D. Deborow, and for managing the tapes and transcripts, Ms E. Kaptain, both of whom put in a great deal of work as student helpers.

¹⁶⁾ Methodologically, we primarily used the interpretation method for narrative interviews developed by F. Schütze, in combination with the sequence analysis method developed by U. Oevermann (On matters of methodology, see also the jointly drafted introduction to the four research projects). The interpretation sessions in the small group were recorded on tape and included as such in summary form in the evaluation reports.

The following summary of results is based on the individual case analyses, which ought to be read first in order to fully understand the results, but which unfortunately, for reasons of space, cannot be presented here.

One of the most important findings that qualitative empirical research hopes to make using narrative interviews is to determine distinct types of biographies. This is done by contrasting and comparing the biographies. In analysing the interviews we have looked at three levels or dimensions as may be deduced from the above outline of the focus of analytical attention:

- the dimension of entry and adaptation methods (α dimension),
- the dimension of the biographical consequences and processing methods (β dimension), and
- the dimension of the underlying motivations in the biography (γ dimension).

The process of defining different types is at the centre of our examinations of Christian fundamentalist biographies and distinguishes between three basic types; it starts from the central consideration of the ways people enter into and adapt (α dimension) to fundamentalist Christian religiousness and looks then for typical relationships to other dimensions, in particular to the dimension of biographical consequences (β dimension), and the dimension of underlying motivations in the biography (γ dimension).

1. Three types of fundamentalist Christian biography

If, when reading the interviews, one looks at *how* the respondents arrived at their current fundamentalist religious beliefs, how they found their way into the milieu, what guided them and *how often* they had already changed direction and milieu, one comes to the conclusion that there are significant differences. Taking the criterion of ways in which people enter and adapt it was possible to develop a basic typology from our observations, against which the individual cases could be contrasted:

A. The first type is the *traditionalist* (type A), who has been moulded by a monocultural religiousness in the family or milieu and who accepts his cultural niche as fortunate destiny or as ordained by God. Hence, the case characteristics can be described as follows:

- There is formative, religious socialisation, usually through the family.
- Religious socialisation determines the manner in which the person enters into, and adapts to, a fundamentalist religious orientation.
- In this case, conversion to fundamentalism means confirming and accepting or progressively intensifying the religious religiousness that has been passed on by the family or milieu in the form of religious socialisation.
- Alternative religious orientation is practically never or only marginally considered.

- Usually, one can assume that the starting point for the traditionalist's adaptation to fundamentalist religion is the secluded (at least in his subjective assessment) religious enclave.

For this type of socialisation into a certain religion as personal destiny, it is possible to further differentiate by *when* in the person's life the fateful inculcation into fundamentalist religion occurred. Early inclusion by the family is to be distinguished from that happening in late childhood, adolescence or in early adulthood. A collective inclusion after early childhood need not be any less fateful or make the person any less traditionalist; however, as a person grows older it is increasingly unlikely that a set of beliefs might be adopted without any awareness of alternatives or the elective character of the decision becoming more obvious to the person and given serious consideration. Characteristic of the traditionalist is that his subjective horizon – and usually that of the milieu – is largely closed and bound by tradition and any alternatives there might be, which could force the subject to make a choice from various offers, rarely or never come into view, or are simply ignored.

- B. Two further types may be distinguished from the first traditionalist type, both of whom might be described as heretical or under obligation to choose. Here "heresy" is not to be understood as having opinions at variance with the officially valid ones, becoming an apostate and therefore being punished by sanctions but in the sense the word is used by P. Berger¹⁷⁾ as quite simply a modern, as opposed to traditional, method of religious adaptation and, returning to the original meaning of the Greek word, the imperative to choose, even in regard to religion.

I call the first variety the *mono-convert* (type B). The characteristics of the mono-convert are as follows:

- A primary religious socialisation in the family is not evident or negligible.
- The mono-convert is well aware of alternatives and pluralism in religious matters, has perhaps even taken a look at or tested one or the other form.
- However, the mono-convert dedicates himself once and for all to one certain set of religious beliefs – at any rate he wishes to see his decision as a singular event and for others to see it in the same way. Conversion to fundamentalist religiousness means in this case: "Deciding in favour of ...".
- Conversion to a fundamentalist religiousness therefore also means rejecting the previous religious views and conceptions.

Fundamentalist ideology deliberately ignores that the choice is in principle one of many and the undeniable fact that the set of beliefs held by one's own fundamentalist group is only one variation among the pluralist range of religions. This blinkered view is due to the elevation of the authoritativeness of one's own set of beliefs, which adheres to theories of literalism, such as the

¹⁷⁾ Berger, P.: *The Heretical Imperative*, Garden City; New York 1979.

inspired nature of the Word, and thereby claims an absolute truth that puts modern natural science and the humanities – and thus theology in particular – totally in the shade. It is therefore understandable that the fundamentalist mono-convert soon forgets the elective nature of his own decision and becomes convinced that the recently acquired religion is the one and only.

C. The third type of fundamentalist biography contrasts with the two other types: the *accumulative heretic* (type C). This type is easy to distinguish from the mono-convert, who also has a heretical method of entering and adapting, in that the former's choice does not fall upon one religious form only. The difference may be explained through what is meant by "choice" here: the mono-convert sees his decision as mono-directional, mono-cultural and once only, as the decision to embrace a certain, fairly closed religious system that determines many aspects of life; in the case of the accumulative heretic "choice" is viewed – by the individual as well – as "*choosing*" and usually he means by that *selective* choosing, in other words he by no means adopts all the details that form part of a religious tradition. The characteristics may be named as follows:

- The accumulative heretic moves from one religious or spiritual milieu to the next and may take part in a wide variety of initiation rites.
- Conversion means the rite of acceptance into a certain religious movement and the initiation rituals, which he may well go through several times over.
- Cognitive contradictions between the varying religious traditions are barely noticed and certainly not taken very seriously.
- Open religious milieus are preferred.
- Religious socialisation in the family plays a minor role and is generally not recognisable.

In his process of adaptation the accumulative heretic is able to accept the most varied religious and spiritual traditions at one and the same time and to "borrow" from them – he does so by ignoring cognitive, theological and dogmatic contradictions between them. In some cases the various borrowings and offers taken from religious traditions are explicitly bound into an ontological framework theory; in others a vague thread can be guessed at in the form of an implicit "theory", which guides the search.

The accumulative heretic can be sub-divided into two further types: the *serial accumulative heretic* who – sometimes in restless and fairly rapid manner – changes from one form of religion to the next, abandoning (by and large) the one form before he adopts the next; then there is the *synchronously accumulative heretic* who is sufficiently polytrope to participate at the same time in various movements, philosophies and rituals and ignores the in part massive cognitive contradictions in particularly striking manner. The accumulative heretic, particularly the synchronously accumulative variety, prefers the open

religious milieu which – irrespective of a hard fundamentalist core – leaves subjective freedoms for wide peripheral aspects of life and life-styles.

So far this typology has only looked at the criterion of the ways in which the person enters and adapts (α dimension), the role the other dimensions play in defining the types has not yet been mentioned. This is now to be rectified, although one must state right away that the other two dimensions, the biographical consequences (β dimension) and the motivational background (γ dimension) did not lead to a distinct typology in our analysis process. They have been treated instead – rather more modestly – in terms of the aspect of *connecting lines* between the various dimensions, in other words questions about the cases such as, are there certain biographical details, perhaps experiences in the family during early childhood, which have imprinted the traditionalist? Can basic patterns of motivation be identified which lead to the various types, to the heretic, the mono-convert, the accumulative heretic? Can typical courses of processing and typical biographical consequences be recognised for the individual types?

Here we must note a fundamental, limiting principle, namely that even if we can identify certain basic motivational structures for the affinity to a certain type, it is not permissible to deduce a causal relationship between the basic motivational structure and the affinity to a certain type. The case analyses do not permit such psychologically deterministic conclusions. And even when we are able to identify certain processing routes and biographical consequences for the individual types, we are still a long way from being able to predict in causal, deterministic manner a generalised future for the types or the appropriate milieu. However, to make clearer contrasts between the profiles of the three types, the relationships to their motivational background and the biographical consequences are interesting and illuminating.

2. Motivational profiles for people with fundamentalist Christian biographies

In the sense described above, the motives for entry and membership can be used to further differentiate the typology. As may be seen from the cases studied, the aspect of biographical motivations is indeed relevant (γ dimension).

Above all moulding influences play a role here if the subject has not (yet) been able to satisfactorily work these aspects into his biography and they repeatedly – at times pertinently – recur and demand attention and energy. I call these mouldings – just as G. Noam¹⁸⁾ does – life-themes. Life-themes are rooted in – to some extent traumatic – experiences in the biography so far, which may also

¹⁸⁾ Noam, G.G.: “Selbst, Moral und Lebensgeschichte”, in: Moral und Person, Edelstein, W., Nunner-Winkler, G. & Noam, G. (ed.), Frankfurt/M. 1993, 171–199.

be termed self-tensions (W. Helsper).¹⁹⁾ In some of our cases, for example, one may discern:

- early experience of the loss of inclusion and home (as through the early death of or separation from a parent),
- deficits in the experience of unconditional security and recognition,
- experience of being an unwanted child,
- painful experiences with death or mourning, or
- traumatising experiences with power and powerlessness.

It would seem that these experiences have more than exhausted the psychological resources of the respondents and they occur conspicuously and repeatedly in the biography – and in the biographical narrative during the interview.

Of course life-themes cannot all be traced to experiences and impressions in early childhood but may equally arise during adolescence and adulthood. Nevertheless they can often be interpreted as a reflection of earlier life-themes. Typical examples are the acute experiences of crisis in early and mid adulthood, which our respondents reported and which they see as connected to the start of their religious searching or their conversion:

- suicide attempts (two of our respondents report that they tried to commit suicide as adolescents),
- the crisis of a divorce,
- the traumatic experience of the incurable disease and death of the mother.

In turning towards fundamentalist religions, it was observed, compensation for such pertinent life-themes is sought. If this compensation is found in the new religious beliefs, it is only understandable that a strong affinity arises. The more convincingly compensation is experienced, the stronger the forces which bind the person to the group. This is also relevant to the process of leaving; leaving means forsaking the more or less successful strategies for processing the life-themes.

However, one must again caution against a causal deterministic misunderstanding: not everyone who suffered the early loss of a parent, nor everyone who endured a lack of emotional warmth, who was unwanted or physically abused, later converts to a fundamentalist milieu; nor does every divorce lead to a conversion to Christian fundamentalism.

There is one interesting finding from the contrastive comparisons: if we examine the cases to see what relationships exist between the conversion or affinity to fundamentalism on the one hand and the life-themes and crisis experiences on the other hand we notice that such relationships are most often to be found in the reports by the two types of heretic, the mono-convert and the accumulative

¹⁹⁾ Helsper, W.: Selbstkrise und Individuationsprozeß. Subjekt- und sozialisationstheoretische Entwürfe zum imaginären Selbst in der Moderne, Opladen 1989.

heretic, whereas they barely feature in the biographical interviews with traditionalists. Relationships between motivation and life-themes during the conversion of the traditionalist cannot be discerned from an analysis of sequences and narrative. The relationship between underlying motivation and life-themes thus provides illuminating contrasts between the cases and leads to clearer profiles.

How can this contrast be explained? A comprehensive and conclusive explanation cannot be given here; much remains open for further research projects. However, one can hazard the theory that the difference between the traditionalist and the two types of heretic runs along a line of contrast which separates (sociologically speaking) an adherence to milieu and tradition from the search for new experiences,²⁰⁾ the (psychologically speaking) reasons for action based on cognition, conviction and morals from those based on emotions and needs and the (psychoanalytically speaking) impulses of the superego from desire and the impulses of the id.

3. Generative profiles for people with Christian fundamentalist biographies

The three types, already differentiated according to the dimension of the individual's method of entry and adaptation, may be further differentiated in relation to the dimension of the processing methods and thus of the biographical consequences (β dimension). Basically, the whole range of possibilities is open: from transformation to immobilisation to decompensation. On the one hand, there are potential educational processes, opportunities to learn and transformation processes, while on the other hand, there is the danger of stagnation and psychological or social decompensation. Within the context of a fundamentalist group or in a fundamentalist milieu, problems and life-themes that require a solution may be processed either with an increase or a decrease in the individual's ability to act. That has major biographical consequences.

The paths followed by transformations in religion may be interpreted in the context of a model of the transformation of religious styles:²¹⁾ transformation processes can be most clearly seen when individualising and reflective approaches

²⁰⁾ Cf. Schulze, G.: *Die Erlebnisorientierung. Kulturosoziologie der Gegenwart*, Frankfurt; New York: Campus 1992.

²¹⁾ Cf. Streib, H.: "Religion als Stilfrage. Zur Revision struktureller Differenzierung von Religion im Blick auf die Analyse der pluralistisch-religiösen Lage der Gegenwart, in: *Archiv für Religionspsychologie*, Vol. 22 Göttingen 1997, pp. 48-69; idem: "Fundamentalismus als religiöser Stilbruch (Inaugural lecture at the University Bielefeld, May 1997), <http://www.tgkm.uni-bielefeld.de/theologie/dozent/streib/antritt.htm>; idem: "Religious Transformation Processes in the Context of Fundamentalist Milieus and Organisations (Paper for the World Congress of Sociology 1997 in Cologne), to be published in: E. Scheuch & D. Sciulli (eds.): *Annals of the International Institute of Sociology*, Vol. 7, currently available at <http://www.tgkm.uni-bielefeld.de/theologie/dozent/streib/köln.htm>.

to the treatment of religion are re-discovered or once again become the primary pattern of orientation.²²⁾ This leads (initially) despite a stubborn adherence to the core elements of fundamentalist ideology – to rebellion against any submission to the authorities for doctrines and rules in the hierarchy of the groups, whether they be called apostles, elders or pastors. When transformations take this course, the unavoidable consequence is usually leaving the fundamentalist group.

If one examines our material for these types of processing method and biographical consequences, one soon discovers that all three varieties are present. In some cases, decompensation is recognisable; in many cases, the initial problems which were responsible for the person turning to the fundamentalist group have been perpetuated unprocessed; in other words, they have been adjourned. However, contrary to common prejudice, our sample documents include a number of cases where transformational processing did take place in the context of the fundamentalist milieu and groups, which led to more self-confidence, greater self-assertion and more differentiated approaches to, and dealings with, other people and with religion and religious conceptions.

Can transformational biographies be matched to specific types? Does this occur more frequently with specific types? The match is not as contrastive as for the relationships portrayed in the previous section, but tendencies are clearly visible. Transformational processes are barely seen with the traditionalist or not at all, whereas they do appear in the mono-convert and are frequent for the accumulative heretic. This can be explained by the way in which the traditionalist enters the fundamentalist milieu: people who enter a fundamentalist organisation because it is their destiny and they are bound by tradition are likely to find less freedom of action or opportunity for development; if on the other hand someone has converted of their own free will – and is largely motivated by the desire for experiences and satisfaction of needs – such as the heretic, he is more likely to undergo transformation. With respect to the process of leaving the group it is also evident that someone who has been placed by destiny in a certain fundamentalist religious setting – at whatever age – finds it far more difficult and painful to leave the group. Huge disappointment, rejection and hatred are often to be observed. The mono-convert displays these reactions in a milder but still recognisable form. The difficulties and traumatisation probably stem from the fact that the affinity of the traditionalist placed in a group by destiny (and in slightly milder form the mono-convert) is usually directed to the more closed groups or organisations, the so-called *high-tension groups*²³⁾ of a fundamentalist character. The accumulative heretic in particular prefers the more open group, the milieu that is not tightly closed and does not demand total

²²⁾ Cf. Fowler, J.W.: Stages of Faith. The Psychology of Human Development and the Quest for Meaning, San Francisco: Harper&Row 1981, [Translated into German as: Stufen des Glaubens. Die menschliche Entwicklung und die Suche nach Sinn, Gütersloh 1991].

²³⁾ Cf. Bainbridge, W.S.: The Sociology of Religious Movements, New York 1997.

acceptance of all the ideological views, the dogmas, rituals and rules but which allow a large amount of freedom provided one adheres to the minimum consensus – that is, however, compulsory. This makes the process of transformation and of leaving much easier.

4. ‘Thomas’: A clear case of an accumulative heretic

As an illustration, we would like to present at least one interesting case which shows both accumulative heretical and transformational features. However, the case of “Thomas” is one of the contrastive cornerstones of our typology, and one should note that our sample contains some completely different cases. Thomas has nevertheless been selected for a brief presentation because his biography clearly illustrates two of the more conspicuous findings in our study: (1) We have observed a new type of accepting religious offers, one might say a new type of religious socialisation, represented by the accumulative heretic. (2) Within the new religious and Christian fundamentalist milieus, we have not only seen decompensation processes, but also learning and transformation processes, and the accumulative heretics are especially well placed to benefit. Both these aspects are well illustrated in the case of Thomas.

Thomas was born in 1949, and at the time of the interview he was 48 years old. He spent his youth and vocational training during the late sixties and seventies in a northern German city. After graduating from secondary school, Thomas started teacher training (biology at grammar school/sixth form level) and completed both academic and practical training. He did not find a teaching position, however, and survived the next 20 years on a variety of odd-jobs such as driving a taxi, selling goods at open-air markets, etc. At the time of the interview, he was living with a woman, her two children and their own eight month old baby. I should like to summarise some of the stages in Thomas’ religious biography and present them in the form of quotations from the interview.

Thomas’ account of why, as he puts it, he “*sought or found certain groupings or sect-like or fundamentalist groups*” starts during his student days when he was introduced to meditation by one of the people in his flat-sharing group and he directed his “*search for more intensity, for a kind of liberation from stress*” towards forms of meditation.

Years later, Thomas had by now completed his studies, a friend introduced him to Bhagwan. He reports: “*I think it was during my practical training ... er ... it was near the end of it and there was tremendous pressure and you had to cope with all that and, and (draws breath) I had this y- yearning and he did this liberating ... er ... meditation with Bhagwan (...) and ... er ... I’d kinda heard of that and went to this farm and (draws breath) well did this, this meditation, dynamic meditation ...*”. And due to his own initial experiences, he thought: “*Well I can do that too; I need to get rid of something, too (...) ‘course it was curiosity as well (draws*

breath), this Asian meditation ... er ... (draws breath), and that it was so dynamic and then all quiet, I found that sort of nice”.

Thomas spent 3 to 4 years involved in the Bhagwan movement, living in various communes in southern Germany. Thomas named two reasons for leaving this milieu. Firstly, the ideology of the Bhagwan followers had grown too narrow for him, and he felt hemmed in and oppressed; and secondly, for him sex meant being faithful, and he could not get used to the idea of free sex.

Some years later, after his girlfriend had left him and gone to India, he had lived a reclusive life in the Black Forest, looking after an elderly farming couple. Thomas then returned to his home city in northern Germany where a girlfriend from his youth introduced him to a group that he called the Bio-energetics Group, but which in fact practised extreme forms of experiments in group dynamics. Reporting on this, he said: *“...and then we did these tough exercises fasting, group locked in fifty, sixty people, shut up in a gymnasium for a week (draws breath); three days without food, and three days without anything to drink, and one week of nothing to eat (draws breath); keeping awake day and night; no sleeper a real voluntary internment, so to speak”.* Apart from this annual workshop, he said *“once or twice a week, we did those exercises in this group in the evening”.* Despite these negative recollections, Thomas had also kept some pleasant memories: *“They have parties where they celebrate New Year; that’s like a big family (draws breath); and you know people and dance with them a lot going on, with this group you were together a lot (draws breath); might perhaps er find a girl (draws breath) er (breathes out); yes, that’s what the attraction was.”*

Following the death of the leader, Thomas left this group and lived a quieter life for some years, singing in a Protestant Church choir, supporting himself with taxi driving and market stalls. Then he met a Scientology recruiter on the street and took a personality test. And – unlike an acquaintance who participated for a short while and quickly left the organisation, Thomas said of himself, *“Yes, I did this test and sort of stayed on, although I didn’t really want to go (...) (draws breath), but when I was there, I said to myself, well what [...] what have they got and then I felt a bit curious and of course this (draws breath) desire again to (clicking noise with tongue) ... er ... to find redemption liberation from the past from a very oppressive past yes, that was it, and they promised me something; they also did a sort of therapy (...) the first experience is helpful of course, a liberation to start with (draws deep breath) ... er ... if you sense a certain deficit in your life, life”.*

Thomas reported that his basic approach to Scientology was reserved and pragmatic: *“It’s interesting exactly what, what can you offer me” and “you want something to do with money what can you offer me, that’s the attitude I took, er holding back, just look .. look and see”.* Indeed, Thomas was liberated during intensive therapeutic processing in this group from a childhood trauma connected with a fall and still praises the group for this. During the interview, Thomas took a long hard critical look at his membership in Scientology and

repeatedly emphasised how unpleasant it was to be subjected to the lie detector. Obviously, this did not upset him sufficiently to make him leave the group of his own accord.

He did not manage to leave until the next stage of his religious career; once again this started by chance: *"Then I read somewhere 'Gospel Meeting', and so I went, and that was actually [...] a Free Protestant Church [...] in the city centre (clicking noise with tongue) and so I went"*. Thomas was attracted by a young lady who told him about her experiences with Jesus and how her faith had helped her and her report moved him to go again. The intensity of experience was heightened by the atmosphere in this gospel Church. Thomas recounted: *"people dancing freely, hands in the air or singing loudly and er not like I used to sing in Church but (draws breath) well they sang [...] and the atmosphere was ... it smelled of sweat, and I thought 'hey, what's this? It's like being in a body-building gym. Why does it smell like this?' At any rate, this ... this atmosphere really grabbed me, and I had to go to the toilets because I thought you can't start crying right here"*. Finally, when a woman he met there had explained to him that Scientology is a dangerous sect Thomas decided to go and hold a farewell conversation the next day, to cancel a cheque and never again to take up one of Scientology's offers.

At the time of the interview Thomas' life and religiousness have reached calmer waters. He is living with a woman with whom he has an eight month old baby, in addition to the two children the woman already had. Thomas reflects about the children's religious upbringing, reads to them from a children's bible, talks of responsibility in the family and faithfulness to one's partner and is able to reject in biblical and theological terms, giving reasons, his time with the charismatic group and with Bhagwan. Taking a quotation from St. Paul, who calls himself a prisoner of Christ, he explains that he had decided against this course: *"In that respect ... er ... if that's being a Christian, and if that's what I understand a Christian to be, then I'm not one any more; I'm not a disciple of Jesus in that sense (draws breath) ... er ... but I wouldn't then say that Christianity is the worst thing there is, but I would say I said yes to that point, and I felt liberated there, but I also said (draws breath) ... er ... I can say that in this sect – I really do use the word sect for Scientology – that helped me, and with Bhagwan that helped me because everyone's different, and I have a good friend, and she says (draws breath) I've picked out bits from all over, this from anthroposophy, that from Bhagwan, that from (draws breath) er .. [...] ...you collect little mosaic pieces er of experiences in life and (draws breath) insights and ... and mm (draws breath) ... and ... er... I learnt something from all of them, and I have no regrets (draws breath), and er the bad thing is, I would say ... er just the constraints of the group when you've joined and when they get too strong and take over your personality"*.

Finally, a few remarks on where Thomas' biography fits into the framework of my typology. Thomas is a typical example of an accumulative heretic, who has suffered no harm during his chequered religious career, his religious tourism, which took him through meditation groups, Bhagwan groups and communes,

through an extreme form of group dynamics, through Scientology offers and then to a charismatic group. His own conclusion ("I picked out bits from all over") is congruous with our analysis of his narrative. Decompensation cannot be detected; Thomas has benefited and learnt a lot through processing his life-themes and undergone a transformation – first and foremost in that he can now cope much more realistically with his illusionary hunger to be unconditionally loved by someone and that he steers away from group constraints before it is too late. The following verdict is justified by the interview with Thomas: Thomas' life-themes, both his search for someone who loves him unconditionally and his vehement aversion to group constraints have been processed and transformed in the context of his accumulative heretical wanderings, which took up 20-25 years of his life.

5. Summary

If, as we did, one looks not only at the means by which people enter and deal with the groups (α dimension) when analysing and contrasting the various case histories, but also at the ways the experiences are processed and the biographical consequences (β dimension) and makes cross-references, one sees that the results are not only decompensation processes (which people are in danger of believing applies to all fundamentalist religious groups and psychogroups in line with the hypothesis on their dangerousness). Equally noticeable is a non-decompensating immobilisation and failure to address the problems and life-themes which ought to be worked on. And this stagnation often results in a large measure of subjective contentment with life on the part of the individuals. However, transformation processes which lead to greater independence are also observed.

One could not expect from the outset that the processes of decompensation v. transformation would be distributed to varying degrees among the cases. The case analyses let us dare to assert that the people whose lives run a traditionalist Christian fundamentalist course are more likely to display decompensation²⁴⁾ or stagnation²⁵⁾. If the biographies of traditionalists – including those in *high-tension groups* who react to the constrictions they feel – start to show transformational developments,²⁶⁾ centrifugal forces are unleashed which result logically in the person leaving the group.

One may further hazard the assertion that the mono-convert is a type that inclines to immobilisation and transformation. Transformation is recognisable here as the self-confident acquisition of cognitive superiority²⁷⁾, as ego boosting

²⁴⁾ Cf. the case analyses of 'Sarah' and 'Helene & Kurt'.

²⁵⁾ Cf. the cases analyses of 'Ruth', 'Daniela' and 'Waltraud'.

²⁶⁾ As in the cases of 'Sarah' and 'Helene & Kurt'.

²⁷⁾ Cf. the case analysis of 'Monika'.

and self-confidence that is able to defy the people of authority in the community²⁸⁾ or which may manifest as the pragmatic everyday relaxing of religious demands.²⁹⁾

A final assertion we venture is that, particularly in contrast with the traditionalist, the accumulative heretic is open for transformational processing with positive effects on his/her further life and for transformation processes. Even if the accumulative heretic can per se show both possibilities, stagnated life-themes and the transformational processing of them, we found two important cases in our sample³⁰⁾ in which transformational processing can be shown and one in which³¹⁾ no transformation may be perceived. However, we must not fail to recognise their efforts to process the pertinent and virulent life-themes and their hope for a solution in each successive new milieu. The accumulative heretic displays an unmistakable ambivalence – between compensatory religious offers which repeatedly end in disappointment on the one hand and the progressive and creative processing of the life-themes on the other hand, which finally extricate themselves from the vicious circle of permanent searching.

Our study was designed to provide some findings on the way in which the actions of the individual and his need for meaning and form interact with the group offers and structures in the Christian fundamentalist milieu. Working with biographical qualitative interviews this study had a good spotlight on subjectivity and the subjective opportunities to process and shape biographical details; we were able to identify such subjectivity in the case analyses – including subjectivity that can develop as transformation potential in the midst of the fundamentalist milieu. The case analyses thus lead one to suppose that the psychological resources and processing skills which the subject has acquired and applies to his fundamentalist religious career influence what happens to him or her in the fundamentalist milieu and that it does not depend only on the milieu or the group.

IV. Sub-project on “Drop-outs, Converts and Believers: Contrasting Analyses of Why Individuals Join, Have a Career and Stay in, or Leave, Far-Eastern Groups, Movements and Organisations”

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1. Introduction

This project studies the biographies and careers of currently active and former members of Far-Eastern groupings, particularly of those organisations which first

²⁸⁾ Cf. the case analysis of ‘Ute’.

²⁹⁾ Cf. the case analysis of ‘Hilde’.

³⁰⁾ Cf. the case analyses of ‘Thomas’ and ‘Christian’.

³¹⁾ Cf. the case analysis of ‘Ulla’.

appeared in the West during the mid-sixties and were at the time collectively known as “youth religions”. They prompted lengthy and acrimonious public debate. The image was created then of the young person who suddenly gives up his training or his job and, breaking off all contacts to family and friends, disappears without a trace in some mysterious sect, to reappear years later as a physical and psychological wreck and henceforth be a burden to his original family. This study aims to demonstrate rather more differentiated data than the image offered in this admittedly overdrawn picture of a young person’s career in a so-called youth religion. Thus one primary interest of this study has already been named: as differentiated a portrait as possible of the course of the individual biographies of various people who are or were members of these groups.

Another focus of this study is the contrastive comparison between varying biographies. Here we examined what the biographies of people who joined religious or spiritual groups, which had established a footing in the West at a period when societies were under strong pressure to modernise, might have in common and what the differences are. Of interest was also the question of which processes of change and transformation were observed in members who had been with the group for a long time in comparison with those who had spent only a short while in it. Finally we were interested in the differences between people who stay in, change course or leave and what they have in common.

2. The methodological approach

During the first half of 1997, a total of 25 narrative interviews³²⁾ lasting between an hour and a half and two hours were conducted with people who were or had been members of a Far-Eastern group. Of these interviews, twelve were selected according to the contrastive criteria already named for group membership, such as length of membership, and whether the people stayed in, left or changed course. Other features such as age, sex, education, etc. were not systematically included for contrastive purposes as they provide little extra information for the actual comparison.

The interview transcriptions were evaluated using sequence and narrative analysis techniques (Oevermann 1979, Schütze 1987). The aim of the evaluation was to reconstruct both the case structure and the biography, which are cross-related to each other for the presentation of the case.³³⁾

³²⁾ Cf. Schütze, F. 1987

³³⁾ The case analyses were prepared by Sabine Grenz (Gernot Biel, Ma Sanvoda), Walter Krapatsch (Kerstin Heller), Johannes Sabel (Sigurd Lenzig), Andrea Wyschka (Anna Sommer, Lisa Kalles) and the author (Gertrud Fabian, Maria Zeller, Ellen Hofmeister, Niklas Hofmeister, Lara Klein, Helga Simon).

The table gives an overview of the respondents:³⁴⁾

Group	Stay-in	Drop-out	Course hopper
Hare Krishna	Sigurd Lenzig (25, 22, 3)* Gertrud Fabian (41, 27, 14)*	Lara Klein (30, 27, 1)*	
Unification Church	Maria Zeller (25, 19, 6)* Ellen Hofmeister (44, 21, 23)* Niklas Hofmeister (48, 26, 21)*		
Osho Movement	Gernot Biel (47, 32, 15)* Ma Samvoda (37, 19, 18)*		
Ananda Marga		Anna Sommer (34, 22, 8)*	
Brahma Kumaris		Kerstin Heller (45, 35, 2)*	
Brahma Kumaris (splinter group)		Helga Simon (41, 39, 2 months)*	
Transcendental Meditation			Lisa Kalles (42, 41, 1)*

*) First figure: age; second figure: age when joining the group; third figure: membership in years

3. Life-themes

The study looks into people's concepts of practical everyday living and notions of how to lead their lives which are behind the commitment to certain religions. Particularly in modern times, now that the relationship between individual and religion has shifted in favour of the individual, religion has taken on a specific function for the processing of matters relating to how people lead their lives. The way in which these questions are dealt with has changed compared with traditional Christian concepts of life-style (cf. Schöll 1992), moving towards patterns of orientation and modes for the acquisition of meaning that are tailored to suit modern times, that were, so to speak, "invented" for modern living (Schöll/Fischer 1994, Schöll 1996). In the context of the study the concrete question is, which aspects of life and its practical problems are being processed with the aid of Far-Eastern religion and spirituality. Interest is focussed on the "reality-processing subject" and his biography in the context of groups who represent

³⁴⁾ I would like to take this opportunity to thank everyone who agreed to be interviewed and to tell us their life-history. Problems arose with the drop-outs, since very few people from this category were prepared to give a biographical interview. For this reason, we were able to include only four (female) drop-outs and one (female) course hopper in the evaluation.

different variations of Far-Eastern spirituality and religiousness. The study does not primarily deal with the reconstruction of group cultures and milieus and their effects on the subject, although this question is not ignored, since the relationship between the individual and the group culture is something that appears as an issue in the interviews.

Generally speaking, we are interested in the way the respondents see the connection between their biography and religion. In the cases analysed, individual “life-themes” were processed with the aid of religious symbology and in milieus which define themselves as religious.³⁵⁾ By “life-themes” we mean long-term problems and challenges, as well as existential questions and blueprints with regard to the meaning of life. Life-themes and self-tensions can be seen as repeated patterns in a person’s world view, his patterns of relationships and actions, which become virulent in certain contexts or phases of life. They create a pressure to alter things, especially when people from fairly closed milieus move into far more differentiated and pluralistic worlds, where a closed concept of how to lead one’s life cannot be practised on a permanent basis and there is a massive increase of pressure on the individual to defend the reasons for his actions and the underlying life-style. For each of the twelve cases it was possible to reconstruct an individual life-theme. As an example we have chosen to describe the life-theme of Anna Sommer.

During adolescence, Anna Sommer reacted to the expectations of her father. She is supposed to adopt his bourgeois view of the world and the life-style that matches it. She has experienced a lack of togetherness and recognition in the family. She does not have the self-confidence to break free from her parents and start an autonomous life. Instead she reacts to the demands of her father by “demonstrating” an alternative world view and practices. However, she lacks perspectives to shape her alternative, since she is interested in demonstration only, which implies the opposite of shaping. No process of separation takes place in this relationship, instead she becomes extremely dependent on her father to whom she must “prove” that the opposite of his concept of life and his convictions is correct. The problem Anna Sommer has with conducting her life stems in part from her family and in part from the milieu. She is reacting to her father as the representative of the demands and expectations of a hierarchical and authoritarian bourgeois society that she wishes to counter with an alternative form of society. She knows what she doesn’t want but has not (yet) developed any perspectives on what she actually wishes to achieve. Thus far she is dependent on normative models of alternatives which she finds in Ananda Marga.

The genesis of the life-theme found in every biography often reaches far back into youth and childhood. One may observe that the acquired and learnt patterns of dealing with the life-theme are perpetuated till adulthood. A change in

³⁵⁾ Cf. Noam (1983). The concept of the life-theme also goes well together with the ideas expressed by Helsper (1993) in his concept of “self-tension”.

the person's situation in life is often the trigger which dynamises the life-theme and may escalate into a crisis, because the problem can no longer be solved with previous patterns, but recourse to previous patterns blocks accessing the life-theme with new strategies for a solution. In this crisis situation, however, it is also possible in some cases for the individual to find new methods of access and other concepts for coping with life, since the crisis increases the pressure to act.

Either the respondent himself links his life-theme with the joining of a group or this connection may be deduced from the interview text. The respondents take up certain aspects of the groups, such as a specific practice, constellations of relationships, religiousness or world views, as a screen on which to project and process their individual life-theme and the problems arising from self-tensions. One subject of this study is the wide range of biographical and sociocultural interpretations and blueprints of the meaning of life which the respondents link to the solutions offered by the groups. Only when they have ascribed such relationships do these milieus and groups become important contexts for the individuals. "Looking at the matter from this interactive perspective, which includes the patterns of meaning and interpretation, it is obvious that the individuals are not just passive victims of certain, clearly identifiable "perpetrators" but they are people actively working on the social constructions and networks in their own biography."³⁶⁾

4. Modes of processing life-themes: A tentative typology

By contrasting and comparing the twelve case analyses, three different modes of processing the life-theme in the context of Far-Eastern groups were identified.

a. Retreat into a symbiotic community of like-minded people

Certain situations in life are so difficult that people feel unable to cope with shaping their lives on their own in the confrontation with social situations and specific people. They are no longer able to reconcile increasing individualisation and freedom of choice with the pressures and problems of choosing in the face of increasing demands for rational reasons. Caught between the freedom and the obligation to choose, they look for a way out by taking up traditional templates for meaning which they then integrate into an artificial unified space for the purpose of realising holistic conceptions. In this case two contradictory but structurally equal regressive attempts at a solution may occur, which empirical studies also find combined with each other.

³⁶⁾ Jürgen Eiben and Werner Helsper in their application to the Enquete Commission with regard to this research project.

(1) In the one expression, individuals try to ease the pressures of individualisation and other problems by returning to traditional religious views of the world. Here those views or eclectic compilations of views are preferred which can guarantee a belief in the character of a cyclical, magical repetition. In view of the feeling of being unable to cope with everyday life, cyclical patterns function by relieving pressures (Eliade 1986, Schöll 1992).

(2) In the other expression people try to relieve pressures by directly altering the conduct of their lives to match scientific principles. They subsume, as it were, their own selves to the validity of theoretical scientific statements, ascribing to science “practical relevance” in the sense that it may be directly applied to living a morally and ethically better life. Value judgements are made according to the logic of this subsumption, using scientific methods and confirmed with the help of deductive procedures.

For both these expressions the *retreat to a symbiotic community of like-minded people* could be reconstructed from the case analyses. The two variants may also be observed in combination.

Despite the differences in starting points – Lara Klein is a drop-out and Sigurd Lenzig is a joiner – both attempt to relieve the pressures of problems and individualisation by taking recourse to cyclically structured religiousness. They look for this kind of religiousness in symbiotic communities of like-minded people which promise to grant inner width and scope for personal development within a circle closed to the outside. In this manner both respondents came to relate to Hare Krishna.

In the case of Lara Klein it is the search for a structure similar to the symbiosis between mother and child which brings her into contact with Hare Krishna. Because it is not possible in a symbiotic system to negotiate on varying expectations and wishes of the participants and there is an obligation to demonstrate uniqueness, she changes to a different system. In this manner she is able to escape from the pressures of her mother’s expectations. She uses Hare Krishna as a new holistic system which she can nestle into and where she expects to be guaranteed a life-style that is untouched by the resistance found in the real world. She highly values autonomy. However, this autonomy is generated in instrumental fashion since in a closed system everything appears to be possible and the options to be implemented are neither negotiated and agreed with third parties nor do they have to prove their value in normal practical life. In this sense, she changes from one closed system to another. After leaving the Hare Krishna group the same logic is applied to the change into matrimony, with the husband as the guarantor for the stability of the closed system.

Gernot Biel, who had joined the Osho Movement, preferred the second variation, relief through a direct change in the conduct of his life to accord with scientific insights and theories. He succeeded in linking this mode with his Sannyas career and finally in transferring both back into the closed milieu in which he grew up as a child.

In these two variants, the dualistic unity between the need to make decisions and the obligation to provide a rationale (which characterises autonomous social actions) is unilaterally dissolved to form a single space devoid of pressure to act, in which there is no need to relate at all, or only gently, to the resistance and demands encountered in the real world. With his withdrawal, the individual tries to achieve greater autonomy which is not curtailed by social constraints. This constellation presupposes a refusal to live a life in reality. The refusal is made by removing the obligation to make decisions about actions by reducing the options to act, which are basically still open, since unknown, to familiar options, which appear to be covered by scientific theory or the return of the familiar in a cyclical religious view of the world. The openness of the world thus automatically turns into a closed system, inside which, however, everything appears possible and capable of being controlled and regulated by the exercise of free will. Reciprocal relations with the surrounding society are reduced to a minimum, meaning that since there is no practical trial for this life-style the quasi-scientific and religious foundation can be upheld, at least for a certain time.

On the one hand, everything in this space is already determined, but at the same time, the options are not limited by reality since they never have to be put to the test. Everything is new and at the same time everything is familiar. In these systems emergence is either suppressed or processed by taking recourse to the already known.

b. Delegated interpretation of life conduct and the delegation of practical decisions in life to a superior system

The second mode identified is the *delegated interpretation of life conduct and the delegation of practical decisions in life to a superior system*. This description characterises a strategy for problem-solving which delegates the practical decisions in life, which only the individual can make, to a normative system of rules. The individual practically refuses to plan or live out his own biography in reference to his own person. A delegated interpretation of life conduct is usually implemented in a heteronomous frame of reference and in spaces of extreme privacy.

Cases can arise where people are in fact dependent on delegating their decisions while at the same time experiencing the heteronomous structure as a constraint and as a restriction on their autonomy. The person is then caught in a paradoxical trap because he will want to free himself from the heteronomous conditions without being able to make the break. On the other hand, it is conceivable that the individual nestles into the heteronomously structured system where he has found relief from pressures and that he is content with this kind of life.

The delegation of how to conduct one's life correlates with the tendency to withdraw from everyday life into a more or less closed milieu. The biography of

Maria Zeller demonstrates how such a person settles herself into a heteronomously structured system and in so doing finds a satisfactory solution to the problems of managing her life. A delegated interpretation of the conduct of life provides, in her expectation, both a life that demonstrates its uniqueness – since it is derived from the overarching system – and at the same time the normality of her life-style.

In joining the Unification Church, Maria has managed to combine her demonstration of uniqueness, as represented by certain beliefs, with the fulfilment of her wishes and the delegation of the conduct of her life, which she ought to organise herself, to third parties. Her biography takes its meaning from the special representation of uniqueness, which was not, however, arrived at independently, but derived from a normative system. Maria can live the “normal” life of an adult without having to grow up. She does not have to leave her original family, because her parents received Moon’s “blessing” when she did. The parents and their daughter are part of one big family that is organised by Moon as the “superfather” to whom all questions on the conduct of life can be delegated.

This mode was also discovered in other case analyses, where it was, however, a phase in the biography, which was then transformed with the processing of the life-theme into a different mode.

When the conduct of one’s life is delegated to third parties or a retreat is made into a symbiotic community of like-minded people, the person unilaterally dissociates himself from the dualistic unity between the need to make decisions and the obligation to provide a rationale. The rationale is already provided in the normative system of rules, and the decisions can be derived from them, or they are made by a third party by proxy for the person in question.

c. Autonomous conduct of life

The structure of modern life is such that the need to lead an autonomous life is inherent, and it permits the “valid” processing of a life-theme only if the life is being managed in a way that allows the dualistic unity between the obligation to decide and to give reasons why leads to specific actions in the social context. The subject must be able to remain true to himself in the tension caused by the dualistic unity, and to act independently. That means the individual must confront himself and his environment and be able to accept responsibility for his actions and their consequences.

Autonomous life-styles cannot be expected in the idealised manner described here. All people create their own ways of relieving pressures and seeks spaces for retreat. What is important is how and how intensely this is done.

It is possible to lead an autonomous life both inside and outside the groups examined. It depends on the way the individual relates his life-theme to the group and the type of context created. Of particular interest here are the pro-

cesses of change and transformation, the potential to innovate and dynamise, which finally lead to a (relatively) autonomous life-style.

It was a long and difficult path which each person travelled to find the *mode for autonomous living* in the sense that he/she takes responsibility for his/her own life and life-style. Looking at the complete biographies of the respondents one sees that an autonomous life was often started under limited terms and the frame of reference widened step by step or transformed. As a subject processing reality the individual has opportunities for autonomy in each frame of reference, but the opportunities are activated differently under different conditions.

The ability to lead an autonomous life can be acquired in a system which dictates life-style through moral rules and commandments. The individual is allowed a degree of freedom only within the bounds of the system. Maria Zeller acts inside the boundaries that she herself has chosen, as does Ellen Hofmeister, who holds fast to the “grand continuous principle” of a given normative framework, while using a “little opposing principle” in her autonomous management of life which induces larger scale developments and innovations. If an individual oversteps the system boundaries, he or she becomes, as in the case of Anna Sommer, a heretic.

Autonomy can also be acquired by confronting a system from which the person wishes to distance himself with an alternative system. As a rule this results in a battle between two moral systems. For the people involved convictions come to the fore which have to be defended against the other system. This different type of reference may be seen with Anna Sommer, who is forced to set her own alternative system against her father’s bourgeois view of the world. In contrast with Gertrud Fabian, however, she finally fails in her attempt to “demonstrate” a self-designed alternative as a reaction to her father.

Gertrud Fabian leads an autonomous life within the Hare Krishna movement. She searches by herself for solutions to questions and problems that occur, and in the concept of community which she prefers, she manages to find bridges between religion and society. She creates an autonomous life-style for herself and her family even though she seeks to reduce pressure by orienting herself towards the four principles and withdrawing from everyday life for her daily meditation. In this spiritual space she is able to find a life-style that allows her to access without effort her humanity, in contrast with the obligation to love her neighbour forced upon her as child and which it is impossible to fully practise. Gertrud F. succeeds in creating her alternative to a system that obliges people to love their neighbours. With the aid of her concept of self-realisation which is expressed in “benevolence” towards people and the world she achieves a life-style where deeds of charity arise from an easy relationship with religious matters. One must not ignore the fact here that she also conducts her daily life as she sees fit. Her life concept is different from the way Lara Klein has structured hers, who appears to be interested only in being able to withdraw into symbiotic spaces and relationships.

That leads us to the third frame of reference in the acquisition of autonomy. Autonomous action is achieved via indifference to moral and ideological systems by directly confronting the reality of one's own life. That includes a reflection on the options which this reality offers. There is a shift from the moral dictates of a system towards a process of acquiring and creating a reality which itself is experienced as offering resistance. In such cases, the reality of life must be interpreted and shaped in an autonomous manner, without the option of having recourse to a system of interpretation which legitimates the individual's actions. In this mode, people no longer submit to alternatives imposed as normative rules; instead, they become free in their decisions by directly tackling the trials and tribulations of life. In this respect, Anna Sommer can say of herself:

I am independent of things ... which from the outside might look as if they were this or that. I don't use the word "bourgeois" any more, because I think my colleagues from way back or those who used to think like me would now call me bourgeois and that word is now completely without meaning to me, and that whole way of thinking. And I try to act the way I feel is good for me. Whether that is bourgeois or way out is totally irrelevant.

Lara Klein did not change the way she processed her life-theme even after leaving the Krishna movement. What she expected of the group has been transferred to her partnership with her husband. Her husband is the guarantor of a system which is characterised by being closed to the outside and wide open on the inside. Finally, we would like to take a look at how the processing of a life-theme in the context of a group opens up new types of strategy for a solution, allowing the individuals to shape daily routine and lead their lives in a different mode from the previous one. We shall look for conditions which can lead to a transformation of the processing mode. This transformation can arise "suddenly" in a crisis situation – as in the case of Helga Simon – or during a continuous process over many years with several fresh attempts – as with Anna Sommer and Kerstin Heller.

This process of autonomous shaping of one's own life will be illustrated with the case analysis of Helga Simon.

Helga Simon's problems with managing her life are characterised by a deficit of trust and self-confidence and thus by a disturbed development of autonomy. As a child she had little experience of feeling secure, nor of social closeness and affection. Several details in her biography indicate this: the parents' divorce, massive fear of a final end to the relationship when her mother tried to commit suicide and the lack of reference persons able to create a relationship built on trust or to promote the development of an "autonomous person, at one with herself".

She tries to compensate for this deficit by setting up an outer framework which she hopes will provide her with an inner strength she is lacking. Although she is in great need of a framework she also feels it to be a massive intrusion into her life and a loss of autonomy.

Due to the specific conditions of her socialisation, Helga is not in a position to reconcile her search for wholeness (security, social closeness, affection) with her desire for autonomy. The mutually exclusive relationship between wholeness and autonomy is part of her logic and Helga is not able to combine the two to form a dualistic unity for the management of her life.³⁷⁾

She hopes her marriage will provide the framework in which a sense of security and affection can be established. It is not long, however, before she feels that this framework is a system of controls which greatly limits her desire for autonomy. Finally, she separates from her spouse, gaining new freedoms – i.e. greater autonomy – but suffering a massive loss of security and “wholeness”. Some residual “wholeness” remains, however, through the longer term relations with her two daughters. Throughout the rest of her life she is not prepared to give up this relationship.

After the separation she starts to become interested in holistic esoteric models and this leads her into contact with a splinter group of Brahma Kumaris. She leaves home in order to travel to the group’s centre in Tenerife and find what she has been denied in life thus far.

She is soon forced to realise that her problems in life will not be solved in this community either. The condition for experiencing the wholeness she so desires is the demand that she cuts her ties with all previous relationships in her life – in particular with her children – and submits totally to the deity in the concrete figure of the female leader of the sect who calls herself the *Mother of the World*. In addition the group practises a form of free sex called the *free ring of love*, which is at variance with her need for closeness and security within a long-term relationship. Once more Helga is confronted with an alternative: either wholeness by renouncing autonomy or exclusion from wholeness into isolated autonomy. That would be a repetition of her childhood trauma (suicide attempt of the mother): she would be completely on her own and would lose her reference person. She is under compulsion to accede to the expectations of her environment, although fulfilling their expectations includes letting other people decide about her life.

Helga soon finds life in the strictly closed system of the group unbearable. Returning home is not an option since that would only intensify the drama. She is thus obliged to confront her problems with regard to the reality of her life and find a solution. She finds herself in a crisis that escalates into inability to act at all. She is not even able to check into an hotel. Several times, she leaves the group and returns to the group as if under duress, as a “penitent”. She ascribes this compulsion to return to a lack of alternatives to the “supernatural powers” of the sect leader. At the height of the crisis, open conflict erupts between Helga and the sect leader. Helga is told to choose: either she dedicates her life

³⁷⁾ The problem of coping with reality in life is similar in nature to that of Lisa Kalles. Both cases demonstrate the various strategies for solutions and modes of coping.

entirely to “*Babba*” or she leaves the group at once. Both of these mutually exclusive options are closed to her, for in both cases, she would have to choose a system of total control: in the first case, the closed system of the group; and in the second case, the system of dependency at home, which she has just fled in order to join the group.

In view of this either-or decision with no alternatives, uttered as an ultimatum, she decides to *be not one hundred percent for Babba*. She thus – without at first realising it – lends the ultimatum more nuanced meaning by not reacting exclusively to the expectations made of her but by starting to put her own interpretation on the options without alternatives. She keeps the option open that she can remain in the group, but on condition she must not make a total commitment to Babba. In concrete terms this means that Helga is not prepared to break off the relationship with her daughters.

The leader of the sect cannot retreat from her ultimatum, otherwise she would lose face in front of the group. She extends the deadline for a final decision until the next morning. In this, as she calls it, *horrendous night*, Helga decides to “play along” and beat the sect leader at her own game. The next morning, she pretends to dedicate her life to Babba, lives for a while in the group and secretly prepares her return to Germany.

In this game, which she can play only after she has acted against rules that were previously binding for her, she learns something that helps her to find a practical solution for her problem with mutual exclusions. Up till then, she had always seen what people expected of her as absolutes which demanded an either-or response. In this night, however, Helga realised that even an ultimatum can be given a different interpretation which forces the utterer of the ultimatum to extend the freedom for decision that was limited to the two options. She realised that every situation of living one’s life can offer degrees of freedom, if the situation is given its own meaning, which need not necessarily be the same as the intended meaning, but which connects with the pre-determined facts while opening up new options. During this night, Helga S. probably became aware of and discovered for the first time in her life her own centre, whereby she can take her actions into her own hands.

From this centre, she is able not only to react to pre-determined facts but to shape them in a communicative discourse. Until then her problem with mutual exclusions was always one related to the expectations that people had of her which she felt obliged to fulfil. Whereas until then her perceptions focussed on the fulfilment of expectations placed in her, she now turned towards focussing her interest on her own means for shaping these expectations. Helga looks at the world with a new sense of self-confidence because she has arrived at herself and from there takes a new look at the world.

The solution to her problem of managing life should, however, not be seen as a continued deception practised on others but rather as her experience that there are options open even in a situation that appears hopeless, including the option

to act with deception without “betraying” oneself and losing one’s own authenticity. Acting from one’s life centre means that it is possible to hold onto the perspectives of autonomy and wholeness at one and the same time, but without finally and totally realising them. Whereas until then Helga had always sought wholeness outside herself and expected others to offer her love and trust, she now discovers that she can only find the wholeness she seeks within herself, namely through entering into relationships and shaping them independently and in mutual recognition. When forming relationships in this manner she need neither deny her own self nor is she helplessly at the mercy of the expectations and dictates of other people. The conflict with Helen L. has given Helga self-confidence.

Upon her return to Germany this profound experience and her changed view of the world lead to a change in the relationship with her family of origin and with her ex-husband and the children.

The pressure of an existential crisis enabled Helga Simon to find a new strategy for solving and processing her life-theme in valid manner. She can now unite within herself the mutually exclusive yearning for “wholeness” and for the chance to lead an autonomous life. She has realised that the expectations of other people do not have to be over-fulfilled. Even when faced with an ultimatum the options may be endowed with one’s own meaning and the over-powerful dictates of an outside source can be circumvented with independent action.

Towards the end of the interview, she summarises the essence of her learning process during the conflict with Helene L. and her community:

... and I found myself in the truest sense of the phrase. I found that I don’t need anyone else, but that it is important, which is what’s meant by finding yourself, to get along with myself. And ... um, er ... since then I’ve been doing fine. (I 557)

This statement is a clear indication of the fact that Helga S. has solved her exclusion dilemma, which she had experienced since childhood as a deficiency; and she has solved this dilemma in a way that is satisfactory for her. The group, even if that was not their intention, made an indispensable contribution towards solving this problem. This assessment is in no way to be construed as legitimisation for the group’s claims to power and the submission strategies, but as an illustration of the fact that conflicts and problems which govern an individual life cannot be suppressed for ever because they clamour for a solution, even under the conditions laid down by a group with authoritarian structures.

In a long, crisis-ridden process, the respondents have managed to achieve a more or less autonomous means of running their lives. The biographies have shown that this goal was not attained directly but via the detour of a moratorium, during which the life-theme and self-tensions were processed in a milieu which relieved old pressures while creating new ones. In each case, however, it could be shown that under the conditions of pluralisation and individualisation a

meaning in life is not something which is easily found or which may be adopted as a set of religious rules. On the contrary, everybody is beholden to practise “self-construction”. This kind of practice differs both from the concept of delegating the running of one’s life to others – since the construction of a meaning in life and the shaping of one’s own life cannot be handed to a third party – and from the concept of retreat into a symbiotic community of like-minded people – since a meaning in life can only be gained by confronting the practical management of life and social relationships.

5. General aspects and observations

Aside from many detailed aspects which cannot be dealt with in a summary, in conclusion we would like to describe nine general aspects and observations.

1. If one wishes to do justice to the way these people dealt with their respective groups, one must take their entire biographies into account. Before the life-theme was processed in the context of the group, other contexts had been previously chosen for processing. What appears as singular when looking at the group culture in isolation, can prove, upon analysis of the whole biography, to be a repetition of patterns with which the life-theme has already been processed in other contexts (family, partnership, etc.).
2. The life-theme can be processed by delegating it to a religious group, because it is “blocked” where it arose. The cases analyses revealed at least three types of “shift”:
 - The problem of coping with the reality of life is shifted into the group, with the objective of stopping the development dynamics and the pressure to find a solution. The problem is put on ice (as illustrated by Lara Klein and Sigurd Lenzig.)
 - The group is used as a moratorium, enabling the individual to tackle the problem in a different setting (as illustrated by Ma Samvoda und Anna Sommer).
 - Finally, the group can be used as a creative means in order to live out one’s own life-theme (see Gertrud Fabian).
3. The personal problems associated with each life-theme explain the different types of access each individual gains to the group, since he places his own life-theme in relation to group contexts. Initially Lara K. felt the Hare Krishna group to be a space of unity, later she felt it was manipulative, for Sigurd L. it represented a protective space, for Gertrud F. a space in which to be creative. The Unification Church was likewise seen in different contexts by Maria Zeller, and Niklas and Ellen Hofmeister.
4. No differences are discernible between the drop-outs and the stay-ins in respect of how they process their life-themes. Stay-ins have either found a satisfactory solution to the practical life problem which brought them into the

group or they are still processing it in the context of the group. Drop-outs on the other hand were unable to solve their individual problem and have therefore changed to a different group. That applies to Lara Klein, who swapped from Hare Krishna into a partnership which again evinced symbiotic structures. By leaving and changing she has not solved her problem, but simply immobilised it. It is to be expected that the implicit dynamics of the life-theme will lead to another change of milieu. Or the group is used by drop-outs as a moratorium, making their life-theme capable of subsequent processing. Once they had found a satisfactory solution they left the group again and returned to daily life. Typical examples for the latter may be seen in the case analyses for Anna Sommer, Helga Simon, and Kerstin Heller. A similar course can be traced in the biographies of Ma Samvoda and Niklas Hofmeister, even if they do not leave the group but take a more distanced attitude.

5. Two diametrically opposed strategies for solutions may be seen in the way the life-themes are processed.

In the first example a solution is sought by taking recourse to the familiar. In times of crisis, people try to solve the problem with the methods, strategies and routines that worked in the past. This strategy is preferred by those who take refuge in symbiotic communities of like-minded persons and who delegate the running of their lives to others. This problem-solving strategy may be intensified by subsuming one's conduct to a scientific theory or religious doctrine, in order to derive certainties and support in life from them.

In the second example, a solution is found by the person making a new discovery. The specific characteristic of a crisis is that routines, convictions and patterns of action that used to work are no longer effective, but another convincing solution is not yet in sight. The case analysis of Helga Simon shows that only when the crisis was at its most acute was a solution discovered which enabled her to process the problem which had played a virulent part in her life since childhood, since she could suddenly see it from a different perspective.

6. Irrespective of how open or closed the milieu, the respondents all related to the group and the outside world in their own particular way and had thus created varying conditions for the processing of the problem of managing life.

It is highly probable that Lara Klein will continue to look for symbiotically closed systems which offer a life of inward breadth by renouncing as far as possible the resistance offered by the real world. The partnership that Lara has entered into does, however, offer the opportunity to process her problems and find a solution leading to a direct confrontation with the practical aspects of life.

When Ellen Hofmeister fell in love with a student in England she could have taken the chance to lead an autonomous life in a long-term partnership. At that time, however, she could not relate to everyday reality, so that the role of

the beloved was transformed into the mother-son role which was acceptable under the rules of the Unification Church.

Niklas Hofmeister had better access to the outside world due to his work in Germany. Success in his job allowed him to integrate into the world of everyday life and also made him more critical of a system which tried to dictate his conduct by applying theories.

7. In all the cases in which the group was used as a moratorium and the question of everyday living was addressed, whether via job or social relations, the problem of managing life was satisfactorily solved. Looking at the entire course of these biographies it becomes apparent that the processing pattern has changed, permitting the individuals to shape the conduct of their lives in a more suitable manner i.e. less driven by suffering.

From what the respondents tell the interviewers, it is also clear that the groups themselves have changed over the last 25 years. When they were becoming established the strategies and behaviour patterns were different from the way they are today. Gabi Fabian describes convincingly how the Hare Krishna group has changed from being a religion that is practised exclusively in a closed ashram to a religion that is making efforts to become integrated into society and which favours the concept of setting up communities.

The Unification Church also appears to have changed from being a religion of agitation with no relation to social or other problems and no potential for sociability (Schöll 1992, p. 245; and Interim Report of the Enquete Commission 1997, p. 99) towards becoming a Church which supports the concepts of setting up communities with characteristics of individual development, continuity and networking. This process of innovation may at least be traced in the narrative of Ellen Hofmeister on the work in her community. The transformational shifts from agitation religion in London to setting up community-like structures in Germany was visible in Ellen H.'s biography.

8. The case analyses did not reveal any massive manipulative recruitment strategies on the part of the groups.

In two interviews, the groups were accused of manipulation. Lara Klein does not reproach Hare Krishna with manipulation until she has left the group and looks at it from an opposite point of view and assesses her time with the group in the grid of a dualistic pattern. The following facts would contradict this view of the matter:

- The group leaders refuse to grant her wish to move into the temple straight away and thereby break off every contact with the outside world.
- Manipulation is part of her view of reality. She feels manipulated by every social institution such as Church, politics, etc.
- In reconstructing the case it becomes clear that the accusation of manipulation is a reaction to the fact that she is not (yet) capable of running her life in autonomous fashion because she lacks the self-assurance needed.

It is more reasonable to speak of manipulative tendencies on the part of the sect leader in the case of Helga Simon. Helga Simon associates her suspicion of manipulation with telepathic capabilities of the sect leader. By reconstructing the case, however, it could be shown that the manipulative influence was an expression of her own dilemma about life. Once she had solved her problem the perceived influence of the sect leader on her life disappeared.

If one is to speak of manipulation one must be able to show for the individual case that the link made by the respondents between the processing of their life-theme and the structure of offers made by the group is being abused by the group. That is the case if the context that the individuals create is unilaterally used by the group for its own purposes.

9. The disappointment felt by parents over troubled relationships with their children often turns to aggression which is directed towards the groups to which the adult children are committed. The best that can be hoped for when parents' organisations take actions and invite the media to watch, is that the groups have difficulties in legitimating their claims. The processing of the problems in the relationship remain and become even more pressing after every such well-publicised event.

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V. Sub-project on “Psychocults/Esoterics” within the research project on “Drop-outs, Converts and Believers: Contrasting Analyses on Why Individuals Join, Have a Career and Stay in, or Leave “New Religious” and Ideological Contexts or Groups”

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Issues, Objectives

The authors agreed that this sub-project on “Psychocults/Esoterics” should be aimed at the following objectives:

“To contrast ‘drop-outs’ with ‘stay-ins’; to investigate various motives of individuals for staying or leaving; to make comparisons between the ‘drop-out’ and ‘stay-in’ groups; to identify the disposition of individuals, based on their biographies, with regard to group offers and structures.

In general: To obtain findings – based on subjective biographical meaning structures – with regard to ‘drop-outs’ and ‘stay-ins’ for the various religious milieus, to identify forms and patterns of the biographies of those who stay in, and thus to gain insights into how the individuals’ own actions and needs for meaning and shaping interact with group offers and structures” (Description of objectives, 28 Nov. 1996). Between 12 and 16 narrative interviews were to be conducted and interpreted, using the methodological criteria developed by A. Strauss and F. Schütze.

Research design

The qualitative methodology founded by A. Strauss starts from the following premise: in the real social world, social processes (e.g. the course of a life) do not occur in infinite variety but in a manageable number of typical sequence patterns. This assumption is based on the recognition that social life is ordered by norms, manners, customs, usual practice, etc. If one has identified the typical sequence patterns in one particular object area, one knows the sociocultural repertoire, the range of possibilities, in which the corresponding social process can be implemented. This repertoire – illustrated as a typology of process forms which contrast with each other – provides information about which sequence patterns a social process (in a given social situation) may display. This repertoire is the result of relevant research, it is the theory which deals with the social process that is at issue.³⁸⁾

³⁸⁾ Such a theory must not be confused with sociological macrotheories designed to explain why new systems and organisations of religious/ideological beliefs emerge in modern society e.g. modernisation theory and individualisation (cf. Helsper 1992, 348 ff.; Eiben 1996). The latter are not designed to explain why individuals turn to such belief systems and organisations.

The question of “frequent” or “seldom” is irrelevant to the attempt to identify the sociocultural repertoire of process forms. Here one must put the concept of the representative study to one side. A qualitative study with 18 interviews is not suited to drawing conclusions about a base population anyway; any data on internal distribution (e.g. percentiles) would make no sense.

In order to develop a typology of contrasting variants for a certain social process a contrastive approach is taken for collecting and interpreting the data. When looking for people to interview, care must be taken to reach cases that are as far apart as possible; the second interview should e.g. be conducted with someone who has presumably been through a completely different form of process from that of the first respondent, the third interview likewise, etc. (principle of *theoretical sampling*). The same considerations apply to the interpretation: first of all the interview material is reviewed for cases which contrast strongly with one another and their constellations examined (principle of *maximum contrast*). Then the similar cases are added (principle of *minimum contrast*). The types are developed and described by studying a main case with related but less clearly contoured cases as complementary material. The types are therefore abstractions, gained from the material of several similar cases which contrast strongly with other cases.

A suitable instrument by which social processes in their biographical dimensions may be documented is the narrative interview developed by F. Schütze. It encourages the respondent to tell the listener of his own experiences (and report, assess, etc.) “just the way they happened”, i.e. as a story in which the respondent was personally involved (actively or passively). The methodological assumption (founded in narrative theory) is: someone retelling the course of events which he personally experienced provides a sufficiently accurate picture of the past, in other words, the data are valid. Leaps from narrative to reporting, evaluating or argumentative forms of presentation indicate that the function of reproducing the past event is becoming flawed.

Limits of the research approach and the methodology

- a. It is true that one of the rules of thumb for narrative interviews calls for between 25 and 35 interviews (based on the principle of *theoretical sampling*), in order to reach “saturation” with empirical data, in other words to be sure that no other variants (types) appear in the object field. The 18 interviews available here are nevertheless sufficient to identify the relevant dimensions for joining/staying in or leaving a group. A combination of mental exercises and the relevant literature allows one to describe hypothetically the types not found in the interviews.
- b. In the narrative biographical interview, the respondents are asked to describe their first encounter with a group, etc. and their personal experience of the consequences in the context of their biography. It is true that situations, practices, structures and modes of thought in these groups are often described in

this connection; however, the narrative biographical interview does not provide systematic information about the groups, seminar organisers, etc.

- c. From research into conversions comes the notion that conversion (or deconversion) is such an extreme transformation process that the entire biography before the conversion is coloured, indeed, retouched by it.³⁹⁾ The narrative interview was developed specifically to filter such retrospective re-interpretations out of the text and there are a number of textual criteria to accomplish this task.
- d. The heated and often uncouth public debate on the subject of “sects” is likely to produce a tendency for the respondents to argue against this public rhetoric, to be more acutely partisan than their experience would otherwise make them or to present facts and experiences in controlled, quasi self-censored fashion. Indeed there are numerous examples of this in the interviews. The narrative procedure also has a variety of means by which these may be identified.

Data collection and evaluation

At the start of the narrative interview the respondent is encouraged and stimulated to make a full account of a (biographical) complex of experiences from his personal perspective; the interviewer does not ask questions but takes care to ensure that the respondent tells his story in narrative form as far as possible. The second part consists of (narrative style) questions about the first part, in the third part questions from outside the core issue may be asked.

The stimulus to narrate was:

(for believers): “Well, you know that I’m interested in special spiritual experiences. Please give me a full account of how you came into contact with the X-group/had the X-experience and what happened after that.”

(for former believers): “of how you came into contact with the X-group/had the X-experience and how you came to leave the group again.”

(for both): “I shall not interrupt your account by asking questions so that I can understand everything properly.”

In the third part of the interview a few questions outside the core issue should be asked on some points (e.g. religiousness of parents, underlying mood as a young person, schooling, vocational training and employment, current relationship with parents). At the end of the interview, the respondents should be asked to provide the external data (if they have not already done so during the interview), e.g. age, place of birth, current job, marital status.⁴⁰⁾

³⁹⁾ Cf. Ulmer 1988, pp. 23 ff.

⁴⁰⁾ Renate Kolvenbach, MA, conducted 13 interviews, and Dipl. Päd. Charlotte Heinritz conducted four interviews. Dr Albrecht Schöll passed on one interview to our sub-project because it was not relevant to his subject area.

At first, it was difficult to recruit respondents. We sent serial letters followed up by telephone calls to experts with close contacts to Churches, to sect counselling centres, to representatives of the media, to academic staff in the universities and non-affiliated parents' groups. There was generally very little willingness to co-operate. Where reasons for this attitude were given they were: scepticism even mistrust regarding the work of the Enquete Commission; doubts about the whole point of the research project and a general "hostility towards research"; the desire to protect the people who had come for counselling from "scientific scrutiny".⁴¹⁾ After some delays, however, we did succeed, in particular with the help of individual sect counsellors and through personal acquaintances, in obtaining suitable interview candidates.

The data were collected between May and September 1997. To interview the people, we travelled inside Northrhine-Westphalia as well as to Bavaria, Baden-Württemberg, Hesse, Berlin, and Brandenburg. Eight interviews were conducted with "adherents" and ten with "former adherents".

The most important criteria for assessing the validity of the data are, firstly, whether the respondent understood and accepted the initial stimulus so that a narrative interview was actually recorded, and secondly, to what extent the interview has a narrative character. The first criterion was fulfilled in each interview, the second at least to a satisfactory degree.

Of the 18 interviews three are not included in the analysis and presentation of findings: two of the cases could not be allocated to a specific group for their major experiences, but deal in general with esoteric experiences and practices (astrology, magical forces, special healing powers, reading the cards, etc.), one interview proved, contrary to expectations, to be uninformative on the subject of the biographical development.

With regard to transcription, we applied the rules developed in Prof. Dr Streib's sub-project.⁴²⁾

On the interpretation: following the initial review of each interview the interviewer's notes on the interview situation and the external information about the respondent's biography were collated. Ten interviews were processed in the interpretation group⁴³⁾ using sequence analysis procedures, the others were read through and discussed in less detail.

⁴¹⁾ It should be noted that all of the respondents we then interviewed were far less distrustful. Although some of them asked what the purpose of the interview was, all of them were willing, whether believers or opponents, to speak openly about their experiences.

⁴²⁾ The transcriptions were carried out by Petra Zeyer, MA, assisted by R. Kolvenbach and checked by W. Fuchs-Heinritz against the tape recordings.

⁴³⁾ It consisted of W. Fuchs-Heinritz, Ch. Heinritz and R. Kolvenbach.

Scope of the empirical material

To document the breadth of the empirical material and as information on the groupings which the respondents have or had dealings with, there follow some notes on these groups, seminar organisers etc:⁴⁴⁾

Ayahuasca

A group that is obviously not organised in Germany, which feels bound to a “cult” from Brazil. The intention is to use the drug Ayahuasca (derived from a plant) to produce spiritual experiences and achieve therapeutic effects.

Bruno Gröning Circle

This group swears by the “faith healer” Bruno Gröning (1906-1959). Grete Häusler felt his “healing current” after his death and has set about spreading his doctrine ever since. “Spiritual healing”, “spirit healing” or “healing by spiritual means” comes about when the patient receives the “healing force” into himself by following the practices of the group. A spiritist concept plays a role here. “Since the reception of the divine healing current, which is of a spiritual nature, is not tied to Bruno Gröning’s mortal body, it is still possible today, even though he died in 1959, to experience healing and help from him.”⁴⁵⁾ The *Bruno-Gröning-Freundeskreis* has grown considerably since the end of the 1980s, and their doctrine now includes elements of “positive thinking”.⁴⁶⁾

Hannes Scholl

A procedure founded by Hannes Scholl (Munich) known by various names, with elements from Landmark, Hinduism and general esoterics.

Kontext

A limited liability company (GmbH) incorporated in Berlin, established in 1994. The seminars are held by Reinhild and Ekkehard Drögsler. The basic seminars are entitled “Relationship and Communication” or something similar. Advanced seminars are also available (including “Love and Success”). The basic idea is that people have an attitude to life that is responsible for many disorders and failures but which can be countered. The counselling sessions at the seminars mainly suggest: find a heterosexual partner, get married and have children.⁴⁷⁾

⁴⁴⁾ These notes are based on information gathered during the research project without us searching for them systematically (see below for list of materials). After all, the groups or seminar organisers were not the object of this investigation.

⁴⁵⁾ Hilfe und Heilung auf geistigem Wege, no date, p. 5. Cf. Senatsverwaltung für Schule, Jugend und Sport 1997, p. 30.

⁴⁶⁾ Cf. Gasper, Müller, Valentin 1991, p. 449.

⁴⁷⁾ Cf. Senatsverwaltung für Schulen, Jugend und Sport, 1997, p. 32.

Landmark

Landmark Education is a company (incorporated in Munich) which uses a system developed by an American, Werner Erhart. The procedures and organisation were first known as *est*, later as *Centers Network or Forum*⁴⁸⁾. After the introductory evening for potential clients, one can register for the "Forum", a weekend seminar which teaches the core experience.⁴⁹⁾ If they want, people may then participate in the "Forum in Action", which is a series of seminars lasting for several weeks and intended to anchor the principles more firmly and to practise their use. Courses for the more advanced are offered, where one can learn to be a "coach" or a "trainer", to counsel others or hold information evenings.

Landmark attaches importance to the social networking of the participants. Two days after the "Forum" a results evening is held, when the Forum participants can impart their experiences and, so it is hoped, bring along relatives, friends or potential clients for the next course. Individuals who have attended the Forum are encouraged to put their newly acquired principles of work into practice in their social environment (at the workplace, etc.); for this purpose, they are given advice by experienced Landmarkers.

Life Coaching

A company (Craemer & Team GmbH & Co) registered in Bielefeld. The founders are a woman psychologist and a sociologist, who have been working according to their concept since 1986. One of their brochures promises: "You can learn to stop being the passive victim of the circumstances in which you live and can shape circumstances as **your own director**. In a sporting context, one would say: life coaching helps you take your place at the starting line with an optimum mental attitude for your life."⁵⁰⁾

After the basic seminar ("training") and a seminar for advanced learners, there are also seminars on specific subjects (e.g. "relationship training"). Life Coaching encourages the participants to form groups that continue to meet and advise each other.

The Quadrinity Process

This therapy concept, also known as the *Hoffmann Process*, comes from the United States of America; it was developed by Robert Hoffman and has been available in Germany since about 1989.⁵¹⁾ To some extent, it resembles Janov's Primary Therapy.⁵²⁾

⁴⁸⁾ Cf. Eggenberger 1990, 285; Gasper, Müller, Valentin 1991, pp. 256/259.

⁴⁹⁾ For more information on the Forum, cf. Senatsverwaltung für Schulen, Jugend und Sport 1997, p. 33 f.; Lell 1997.

⁵⁰⁾ Life Coaching. Bielefeld, no date, p. 4.

⁵¹⁾ Cf. Harlacher (1989), p. 24.

⁵²⁾ Cf. (1989), p. 189; Gasper, Müller, Valentin 1991, p. 840.

The four elements of the personality (thus Quadrinity): body, emotions, intellect and spirituality, which are normally not in harmony with each other, are to be joined to form one whole. As a small child negative qualities (patterns) were copied from the parents. A “process” lasts for a week and runs as follows: to start with the participants are required to compile the “patterns” copied from their parents; helped by various methods of suggestion, they take themselves back into childhood. For two days the participants beat cushions and shout these “patterns” out loud, in order to “give them back” to mother and father. Thereafter, the participants have to put themselves into the childhood of their parents, to learn that they have taken these “patterns” from their parents. This is intended to lead to an inner reconciliation with the parents.⁵³⁾ Another objective is to take the spiritual world into oneself. A “spiritual leader” or similar figure plays a role here, but there is no information on this in the data we have.⁵⁴⁾

The organisers offer no further therapeutic counselling, nor do they advise the participants to form groups after the seminar or recommend further events.

Silva Mind

Also called *Silva Mind Control* or *Silva Method*, this is a method which was developed in the 1940s by an American called José Silva; this method has been taught internationally since the sixties. It is based on the idea that the alpha state of the brain should be used (through suggestion and self-hypnosis), and that it is possible to visualise imagined places and two imagined helpers. The method promises enhanced memory capacity and generally a higher level of intelligence, professional success, and greater problem-solving skills in social life.⁵⁵⁾

TNI

The Natale Institute, a type of seminar established by Frank Natale in 1979; available in Germany since the late eighties. Apparently, a mixture of various kinds of group therapy and esoteric concepts and practices.⁵⁶⁾

ZEGG

The *Zentrum für experimentelle Gesellschaftsgestaltung* (Centre for Experimental Forms of Society) was established in 1991 in Belzig, a small community near Berlin, and is based on ideas and experiments which emerged in the anti-authoritarian student movement.⁵⁷⁾ It sees itself as an “experimental space for

⁵³⁾ Cf. Goldner 1996.

⁵⁴⁾ Is this just “contemporary spiritual fluff, cf. (1989), p. 191.

⁵⁵⁾ Silva Mind promises to improve the performance of one’s mind nearly to the level of omnipotence, cf. Wallis 1984, p. 21.

⁵⁶⁾ Cf. Senatsverwaltung für Schulen, Jugend und Sport 1997, p. 39.

⁵⁷⁾ Cf. the book by Dieter Duhm, which was very influential in its day: *Angst im Kapitalismus*. Connections to the AAO are also alleged by Gasper, Müller, Valentin 1991, p. 2.

the creation of a new model of culture. [...] ZEGG is a place to study new solutions in the spheres of human co-existence, love, raising children, ecology and self-sufficient survival skills.“⁵⁸⁾ The extended community stages musical and arts events, works on questions of ecology and the politics of peace, advocates and practises free love. Seminar rooms and the guest house can be hired by groups or individuals for their own events or in order to become acquainted with the ZEGG way of living and working.

Despite the wide range of different groups and seminar organisers here not all the relevant ones have been included. That applies in particular to Scientology, an organisation which has come to be the incarnation of the “psychogroup” thanks to its history, its success in expanding its influence and the inspiration it gives to other groups or movements.⁵⁹⁾ Our project was initially open-minded on the subject of interviewing members and former members of this organisation; we anticipated there might be problems of access, but nothing more. After the campaign started in Hollywood (including a campaign comparing the treatment of Scientologists with the fate of the Jews), it became clear that this organisation has no scruples about using its media powers to make false representations. It was our impression that dealing with this organisation in any form could lead to an imbalance between scientific results and potential “trouble”.

Primary result: The typology

The main result of this study is the following typology. The dimension of process theory in which this typology was found, takes up and links together the main questions in the research remit: nature of the access or “entry” into a group within the context of the biography thus far; consequences for the further development in life. Which questions and attitudes, which biographical perspectives may be found in a person who encounters the “offer” made by a group and accepts it for a shorter or longer while, how good does the fit prove to be and what are the subsequent developments as a result?

Six types were identified:

- A. “out of interest, willing to learn”
- B. “looking for a therapy”
- C. “sent along, induced or pressurised”
- D. “looking for his/her place in life”
- E. “to share the experiences of close interaction partners”
- F. “looking for a force that can shape the way one lives”

⁵⁸⁾ Kulturmodell ZEGG, no date.

⁵⁹⁾ Cf. Stark and Bainbridge 1985, pp. 197 ff.

The way in which the types are characterised focuses on the various starting constellations; from here, it is possible to identify the biographical options which present themselves later.

- A. “Out of interest, willing to learn” is the active and considered approach to a group, the person is not driven by suffering or the urgent desire for healing of the soul. People who take up an offer with this kind of learning or searching strategy stand a good chance of setting positive biographical developments in motion.
- B. “Looking for a therapy” means turning to a group or seminar form motivated by the desire for psychological healing. People who approach a group with this attitude and a willingness to put their trust in the group and be led by them, similar to the relationship with a therapist, make themselves dependent on the concept and practices of the group or seminar organiser. Whether that has a beneficial influence on his/her life afterwards or not is a question of the fit between the need for healing and the methods employed.
- C. “Sent along, induced or pressurised” describes an initial constellation that has not been intentionally created by the person but by the advice of a significant other, it is a kind of being pushed. People who accept an offer in this manner or who have been sent to the group, must expect the consequences for his/her subsequent development to be problematic or even negative.
- D. Those who are “looking for their place in life” enter a group as part of a more generalised search for the place where they can lead their lives to their satisfaction. The further development of people seeking their appropriate place in life in this manner, in other words of those just hoping to find something rather than making a focussed search, depends upon what they find and which of the various diffusely formulated expectations are fulfilled.
- E. The attempt “to share the experiences of close interaction partners” leads to the contact with a seminar organiser or the like because the person wishes to travel the same road as that previously taken by his/her partner or close relative. The intention is to share the relevant experiences, to draw level with the other person, to prevent any estrangement from growing. The intention behind the action is not really directed towards the group but to the close interaction partner, who is a step ahead. In a manner similar to type C, the interest in the contents of the seminar is dominated by the relationship dynamics. It is probable that the consequences for his/her future life are negative.
- F. The type who is “looking for a force that can shape the way he lives” is not driven by any suffering or specific desire for healing but by a relatively diffuse wish to lead his life in a way he has shaped and contoured more actively, without any clear idea of how that might be achieved. Someone thus searching for a way to bolster his energy and ambition, in other words someone who is looking for a way to conduct his life, is willing to try a given procedure

without spending much time on a critical examination of the offer beforehand. He feels that the success or otherwise of the idea will prove itself. In contrast with type B, this person enters a group with a critical view which (unuttered) is effective right from the outset.

The first review of the material showed that the distinction between “drop-outs” and “stay-ins” would not be helpful. Although some seminar organisers do encourage participants to form groups only a few of the groupings (in particular Bruno Gröning) have a clear system of membership, meaning that this status can also be clearly ended (“leaving”). In what way can someone who has attended a one-week seminar and since then been a bitter opponent of this type of seminar be regarded as a “drop-out”? Is someone who attended his first three-day seminar ten years ago and repeated the experience last year a “stay-in”?

For illustration: The Mauthner case (a type-C person)

At the time of the interview, Mr Mauthner is 36 years old. He runs his own (smallish) company with his brother. His wife trained as a nurse, the couple have two daughters, ten and seven years old.

He was born in 1961 in a small community in the Münsterland region. He has one brother and one sister, the three children are not very far apart in age. The mother is unstable and not in a position to care for the children adequately, “and then there was Granny at home, and she looked specially after me” (44:8-10).

The children are brought up as Catholics, at the age of 18, 19 he is still regularly attending mass without being a “religious person”. After five years at grammar school, he starts vocational training as a industrial clerk and graduates with his “Fachabitur” (entitlement to study at a technical college). After working in a sales force, he sets up his own business in 1992 together with his brother.

In 1984, Mr Mauthner comes into contact with the Hugo Möller movement. He is still living at home, his elder sister is at university and lives in Bonn. She brings the doctrine home, and the mother wants to be introduced to the community at once.

Initially, Mr Mauthner is sceptical, since he is not looking for healing: “a good, um, let’s say, three months I resisted, till March 85, then I was more or less willing, meaning I thought okay, if you go along and have the introductory talk, then perhaps they’ll leave you in peace” (2:9-13). Mr Mauthner therefore allows himself to be introduced.

At first, he finds the community and its doctrine very interesting. He even feels something when the spirit of Hugo Möller is invoked. His only problem is that during the community sessions, he has no healing success to demonstrate – he was not ill before and is not ill then.

At least as important are the interesting interaction circles he finds in the community: “very nice young people” (3:5) try to integrate him “and it was really a nice time, because ... er ... cos at the time I was, was still single, and there were lots of nice girls there in the community, and so I actually rather liked going” (3:9-13). It is reasonable to assume that he is a shy, reserved young man who finds it difficult to make friends (including with the opposite sex). In the community much changes because the others (the “nice girls”) meet him halfway. Since there are not many (young) men in the community, people intimate to him that he might soon take on an important function in the movement.

Just a few weeks after joining in the spring of 1985, he meets – outside the community – his present wife. She is sceptical about the community and tries to persuade him to stop going (doubtless also on account of the “nice girls”). Because he does not stop going to the community sessions on Sundays instead of going out with her, she breaks off the relationship. A few months later, Mr Mauthner manages to renew the contact with his girlfriend. His mother advises against the girl; the leader of the movement asks Hugo Möller if Mr Mauthner’s girlfriend is the right woman for him (no, someone else is waiting for him). He stands by his girlfriend and marries her in 1987 against the wishes of the family. The couple have two children (1987 and 1990).

The conflict is not over after the wedding: “And I must say, the first eight, nine years of our marriage were really always a tug-of-war, I wanted my, well my wife and my children, were my family and not my parents, but that was my family too in a way and I always tried to be good to both sides, have a good relationship with them and not, not to drop my parents for that” (5:14-19). To this day, Mr Mauthner is not sure which family is his family. The question which is an issue fought over by his mother and his wife, namely whether he should stay in the Hugo Möller group or not, is only one aspect of the problem.

For two or three years after he marries, he continues to attend the community sessions regularly and feels very much at ease there; he has quarrels with his wife on the subject. When he stops going, his mother talks persuasively to him: “Come back again; Sabine is, is evil; she’s, she’s hooked up to negative; she’s ... she has negative force, and that isn’t good for me, and I’ll be pulled down by her” (5:28-6:1).⁶⁰⁾ Friends and relatives from the group keep phoning to persuade him to attend the community sessions again.

This drags on for ten years. In 1996, his wife threatens to leave him, and he then separates from the group (“until I separated myself from my parents, and thus from Hugo Möller”). Together with his wife, he goes to a “self-help group”, which is supported by a sect counsellor. He regrets that this process is also

⁶⁰⁾ In the community, everyone outside the group is basically felt to be “hooked up to the negative pole or “connected to the Evil One” (15:2-3); one ought to stay away from these people, if possible, and build up a new set of acquaintances.

directed against his parents, “because, um, they also see it as a personal attack on them” (6:20-21).

Mr Mauthner has still not resolved the matter completely. To this day he wonders why he “got sucked in” (21:22-25). Father, mother and sister, an uncle and an aunt are still in the movement. After more than ten years of membership, Mr Mauthner sees no chance of dissuading them from membership through arguments. They hardly meet at all, only for official family functions. The grandparents hardly see their grand-children any more; they had tried to influence the children along the lines required by the movement and Mr Mauthner’s wife had resisted the attempts. “... those are things that hurt really because somehow they are my parents but on the other hand I have my own family and my children and my wife are closest to me, really” (9:14-17). Time and again, Mr Mauthner tries to sort out which family is his.

There are two or three passages where the respondent indicates why he finds it so difficult to separate himself from his mother: because his grandmother brought him up, due to his mother’s depression, and he therefore “always had the feeling that, well, not to lose contact with my mother, with my parents and er keep it up” (44:13-15).

At first sight, it would seem that Mr Mauthner would have been perfectly content in the movement if he had not met a woman outside of the group. However, the problems of his personality are at the back of the story and they would have shown an effect of some kind or other: he stubbornly seeks a good relationship with his mother because she did not give him the chance as a child. That is why he lets himself be drawn into the group by his mother and why it takes so long for him to separate himself from it. His problems with personal relationships which stem from his childhood would have appeared in some way or other and made it difficult for him to become an independent adult.

The most salient feature of a type-C individual is that the forces pushing him towards the group or seminar emanate from relatives, partners, friends or acquaintances, in other words from the immediate social sphere of the person. Neither the groups nor the seminar organisers are exerting the pressure. In some cases the people in the immediate social circle already belong to the group or participate in the seminars. At first glance that would seem to confirm that “existing personal relations or the growth of emotional bonds with sect members play a major role, whether that be the motivation to convert or during the actual process of conversion.”⁶¹) However, if we analyse the case in more detail we see that Mr Mauthner’s mother can bring pressure to bear on the son because she is his mother (with a special socialisation history), and not because she is a member of the group. The negative consequences of entry into the group are therefore less the result of practices favoured by the group or seminar

⁶¹) Klosinski 1996, p. 63.

organiser but a result of the relationship dynamics with a close interaction partner, without whom there would have been no entry.

One may thus venture the hypothesis that how well or badly the matter ends when someone has been “sent along” to a group or seminar depends not on the group or seminar but the nature and intensity of the social relationship from which the “sender” draws his/her strength.

The constellation of types

The overall constellation of the six types becomes apparent when one looks at the degree to which an intention may be identified in an individual’s actions:

Type A (“out of interest, willing to learn”) and type C (“sent along, induced or pressurised”) form the greatest contrast with each other. Type A approaches a group because he is interested, of his own free will and with his own criteria for selection and evaluation. Type C, on the other hand, is “sent” there (by a close interaction partner), does not rightly know what to expect, is dominated by the relationship structure which is pushing him in a certain direction.

Type B (“looking for a therapy”) approaches a group intentionally yet without any precise knowledge of where the journey on which he is embarking will lead. The hope of at last finding psychological healing is stronger than the need for information about what kind of group one is entering; the initial willingness to do what is required and put one’s trust in the group does not promote the ability to develop and uphold own criteria for judgement. Hence, type B is somewhere between type A and type C.

Type F (“looking for a force that can shape the way one lives”) may be classified as similar to type B: in the hope of gaining both more energy and drive for their lives the seekers at first comply with the demands of the offers and procedures, do not make any specific inquiries beforehand but wait and see, as it were, whether the experiment is successful or not.

Type E (“to share the experiences of close interaction partners”) is similar to type C; he too is dominated by a relationship structure which exists and affects his life before the encounter with the group. In a nutshell; whereas type C is pushed, type E pushes himself.

Type D (“looking for his/her place in life”) is a marginal form in the constellation of these types: the search is so generalised that it need not necessarily lead to the encounter with a group, but could end quite differently (e.g. in the successful start of a career). There is no strongly defined intention at work here, but rather a waiting attitude, to see what might turn up.

Summarising one can say: the greatest contrast is between type A and type C. Types B and F are in between the two, type E is close to type C. Type D is to be found at the edge of the field.

One could also sketch out the overall constellation of types by considering the question of whether crisis situations in the person's life play a part in joining the group.

Looking at this typology, type B ("looking for a therapy") strongly contrasts with type A ("out of interest, willing to learn") – not one case of a type-A person is in a crisis situation before entry, whereas all the type-B people are. States of crisis as motivators are clearly visible for types C and F (but not in all cases). The bottom line is: types A, D and E do not show states of crisis as motivators for entry.

Thoughts about the completeness of the typology

With a combination of mental exercises and reading the relevant literature, one may assume that the following types might also exist in the real world:

G. enters a group "out of interest" but is then "duped"; biographical consequences are unfavourable or even catastrophic;

H. "sent, induced or pressurised" but then feels at home in the group and is able to develop reasonable biographical prospects.

The constellation referred to as G is the shorthand form of a type of representation found in, amongst others, the "drop-outs' reports", the writings of former members to justify their actions or to settle old scores with the group. Although the first encounter with the group or seminar offer took place in a spirit of critically distanced attentiveness, what then follows results, against the person's will, in negative consequences for the stability of his personality and for the way his life develops thereafter. Our material offers no hint that this type of sequence actually happens. Negative consequences (including psychological collapse) occurred in some cases but these arose from more complicated constellations.

A picture of constellation H can be produced through mental exercises: Reports that entire companies are "processed" through the use of seminars (a topos of public rhetoric) assume that many people who have been forced to attend seminars by their superiors have derived acceptable and bearable, indeed productive experiences therefrom. Obviously being "forced to go" results in "joining in" in many cases, or at least leads people to display conformity and acceptance – the relevant reports cannot be interpreted in any other way.

Our material offers only indirect evidence for this constellation: the live-in partner of one respondent works – as she told us – in a management position in a company whose employees all use the work techniques of the group (practising them together during working hours) and regularly attend the relevant seminars. Her boyfriend and his colleagues were firm believers in the doctrine. This points to one limitation: our material gives no insights into relevant procedures inside companies and organisations, this is a matter that still requires research work.

Thirdly, as a mental exercise, one may construe another type:

I. “participates as an observer”

The person participates merely for the purpose of becoming acquainted with a group or type of seminar – perhaps in order to make a report on the subject in the media. Since this hypothetical type has no biographical roots, because one cannot speak of entering a group in this case, no more time need be spent on considering this type.

Tentative classification of overall biographies

The attempt to identify common points in the biographies of types A to F failed. Although we searched diligently, we did not find any biographical constellation (such as orientation problems at school, when looking for the right kind of job, or looking for a partner; the attempt to break out of social isolation) that would have been common to all the cases of one type and that would have been the common top condition leading individuals to join a group. The reasons or triggers which decide whether someone stays in a group, etc. or not are thus (presumably) not based on the biography as a whole, but may be explained by the process forms which have been identified as key factors. This means that the types found in terms of “entry/biographical consequences” may stem from quite different process forms when looking at the biography as a whole.

Despite these findings most of the cases, transcending the type divisions as it were, show indications of highly disturbed socialisation processes, more precisely of the development of an identity vis-à-vis the parents. Three of the respondents reported that their mothers were not capable of looking after and raising them as children; one respondent, as a late, last child, was obliged to conduct his own socialisation; the fathers of two of the respondents committed suicide; three of the respondents characterised their relationship to their parents as one of hate and laden with major conflicts; the mother of one of the respondents stood next to her daughter to this day, whispering something in her ear. Two other cases intimate major conflicts with the parents. Of 15 cases therefore 10 or even 12 have suffered a disturbance in the development of their own identity which ranges from strong to dramatic.

These indications must, however, be treated with caution: percentiles cannot be the results of qualitative research; there is no control group. However, the impression cannot be dismissed that, in the object field, a personal need for “further socialisation” is at work, triggered by deep-seated disturbances in the development of an identity and the sense of being in this world.⁶²⁾

⁶²⁾ This would be one argument that the thesis found in the literature is wrong, i.e. that the individuals who make contact with the relevant groups wish to make the reflexivity of their identity (as defined in the individualisation thesis) bearable by finding a stable ego at a different level of being (cf. Stenger 1993, p. 49). Our material suggests that the problems are more simple and more basic: the issue is to achieve a satisfactory state of being in this world. A similar remark can be found in Schmidtchen 1987, p. 12.

Other findings

Neither specific crisis situations in life nor any kind of crisis whatsoever⁶³⁾ can generally be found to function as the trigger for entering a group.

In no single case could a crisis of religion or faith be found. In every case we are dealing with biographical processes in their true sense, in which, at most, pre-conditions stemming from a religious upbringing, etc. play a role.

In no case can entering the group be interpreted as a radical and decisive gesture of independence directed at the parents.⁶⁴⁾

In no case does the lack of understanding or rejection on the part of significant others lead to a stabilisation of the entry process or the next steps.⁶⁵⁾ The empirical material points rather towards an undramatic role being played by the immediate social environment. Those who have joined a group are more likely to influence their significant others.

In no case is there a conversion in the sense that the person transfers to a completely new system of thought or beliefs. Some of the interviews emphasise the aspects of their childhood and adolescence which laid the foundations for their current view of life and the world, but the aspect of “changing course” is missing.⁶⁶⁾

None of the cases gives an indication that an aim or dimension of experience is the attainment of divine status.⁶⁷⁾ In some cases the respondents differentiate between the “transformed” people who have attended the seminars and those who have not or see themselves and other graduates as a recognisable and separate group. This view does not, however, include any claim to have achieved superhuman status or to be able to attain such.

In none of the cases is someone “manipulated into” the group, no-one is “duped”.⁶⁸⁾ The type-C person “sent, induced or pressurised” is not sucked in by the group but pushed in by a close interaction partner in his own social field. The problematic consequences for type C’s subsequent biography stem (probably) less from the doctrine or practices of the group but rather from the dynamics of the relationship with the close interaction partners who exercised pressure to join.

None of the types has completely dispensed with intentional actions when he/she enters the group. The description of type C as “sent” is used to delineate the

⁶³⁾ The idea that crises in life are triggers for individuals to join groups is widespread in literature. Cf. Stenger 1993, p. 142; Schmidtchen 1997, p. 189; more recently, the “event-related development tasks in: Senatsverwaltung für Schulen, Jugend und Sport 1997, p. 7.

⁶⁴⁾ This is the thesis put forward by Levine 1984; cf. Barker 1992, p. 35.

⁶⁵⁾ For thoughts on the importance of the reactions of significant others, cf. Eiben 1996, p. 55.

⁶⁶⁾ As regards the relationship between “seeking” and conversion in the occult milieu, cf. Stenger 1993, p. 146; as regards empirical indicators for “key events”. *ibid.* p. 147.

⁶⁷⁾ As regards “personal apotheosis in the Scientology Organisation, etc., cf. Eiben 1996, p. 33.

⁶⁸⁾ Cf. Barker 1992, p. 19; Stark and Bainbridge 1985, p. 422.

specific contour and is not used to say that the person involved was sent with no opportunity to raise any objection. Type B ("looking for a therapy") is likewise obviously acting of his own volition, even if it is only the hope of at last finding a therapy that will help.

In no case did the encounter with a group come about via the market ("psychomarket").⁶⁹⁾ In every case it was significant others or at least casual acquaintances who drew the person's attention to the group.

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⁶⁹⁾ According to Mörth (1989, p. 305), there is "a strong tendency for the [...] offers to be perceived and disseminated via the market and public media rather than via social networks". However, our material tends to confirm the findings of Stark and Bainbridge 1985, p. 309 f., with regard to the significance of social networks.

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